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### MISCELLANEOUS.

—535—

#### General Summary.

The Shipping Report of yesterday announced the appearance of a large Ship, standing in from Sea, her name not then ascertained. It is time to expect a Ship from England of the date of December, and we shall be glad if this prove to be one.

A portion of our pages is devoted to an able, and, as we conceive, an extremely interesting Article on Jurisprudence, from one of the latest Authorities on that important subject. It deserves to be read with that attention which we bestow on matters in which our interests are deeply at stake.

No topic of great public interest on European Politics remains untouched on, so that we continue the lighter and more miscellaneous notices with which the English Papers last received still abound.

*Legitimate Rule.*—The QUARTERLY REVIEW, in a critique upon China, remarks, that, to be sure, the government of that vast empire is not the best in the world, but then it is free from all troublesome investigators into grievances. "In a letter now before us," say the Reviewers, with infinite complacency, "from an ancient and most respectable Missionary in China, the writer observes, in speaking of the quiet and peaceable accession of the new Emperor, on the death of his father last year, 'The Chinese have no desire for the lights and chimerical theories of your Reformers, Liberals, Radicals, Illuminés, Jacobins, and Carbonari, and other demagogues of Europe.' The good father is right; and dreadful indeed would be the aggregation of human misery if any one of these accursed pests of society should work their way among them, and succeed in unsettling the minds of two hundred millions of a peaceable and contented people."—To those who know what the peace and happiness of the Chinese are, with their bastinado, their exterminating punishments, and their legalised infanticide, the above paragraph must appear admirable! Of course, it was not for the Reviewers to interest themselves in the faults of legitimacy; but whilst they drop these, they have with the most edifying simplicity, let out the fact, that the last Emperor was actually murdered by his well-governed subjects, and that without the aid of a single reformist. The late Emperor, in his will, alludes to his approaching dissolution in these words—"I felt the phlegm rise in my throat even to suffocation." Upon which alleged fact the Reviewers make the following observation in a note:—"If we may trust the information which we have received from Canton, this phlegm in the throat was a *hempen cord*, administered on the 'benevolent mountain' by his *Courtiers*. He was accounted every way inferior to the four Tartar Emperors who preceeded him." So much for the *purity and social order* which are to be defended against the intrusions of the pestilential race who venture to look into the exercise of power. But to crimes of this nature, when committed upon *ancient principles*, the *Bayards* can rapidly accommodate their consciences, as well as to legitimate massacres, and the slow consumption of victims in the cells and dungeons of inquisitions or fortresses, age after age! We never, for example, hear any thing of the murder of a Peter or a Paul of Russia; but upon a little popular frenzy or effervescence,—the reaction of centuries of oppression and misgovernment,—how they then "unpack themselves in words!" But enough; our simple purpose was to show the grossness and abomination which these reasoners pass over among Courtiers and Ultra-Royalists, whilst they affect unbounded horror at the most common-place excesses of all the

rest of mankind;—an inconsistency which reminds us of the conversation between the two Scots in Zeluco. "What fuss they make when a Scotsman gets hanged," says one of the angry Caledonians; "but although Englishmen are hanged every month, they say nothing about it." "Oh no," replies his equally indignant companion, "that is a matter of course."—*Traveller*.

*Trade.*—Plaids, for the manufacturing of which Kilmarnock has lately become celebrated, were greatly in demand at the last Leipzic fair; so much so, that the whole stock brought into the market was quickly bought up, and orders to a great amount given for more. The carpet trade is at present unusually brisk; large orders are in hands for the American market.

*Madrid.*—Extract of a letter from Madrid, dated Oct. 10:—The elections are just over. I went on Sunday last to witness them. He in whose imagination *Universal Suffrage* is connected with disorder and outrage, should come hither, and then do homage to truth. No clamour, far less any riot; men went to discharge their high and important functions as if to any other solemn duty. They deposited the names of their fellow-citizens whom they deemed fit to honour with their approval, and retired. For many days before the elections took place, little groups were seen parading the streets with lists in their hands, collecting the opinions of every householder, whose opinions could serve as a sanction or as a guide. In one day or two, at most, the elections are terminated throughout Spain, and millions of men, without distinction of rank have been consulted on the great subject of their country's welfare. Among these millions, there is, perhaps, no purchased—no dishonest vote. This is national representation—not the word but the thing. This is national sovereignty; the sovereignty of reason over folly—of public right over personal usurpation. Spain has seen, and will see many perils—her Constitution is full of defects—defects now recognised even by its framers; but this one redeeming this life-giving principle of universal suffrage, will bear her through the storm and through the conflict—and will correct at last whatever is wrong—strengthen whatever is weak, and give permanence to liberty, to peace, and happiness.

I often go the Cortes, and through the attentions of the President have been allowed to take my seat in the tribune or box appointed for the Ex-Deputies, &c. Their *tactique* is tolerably good, as far as I can yet judge. Their harangues are usually short, and to the point. They speak from their seats, unless requested to ascend to the Tribune on account of weakness of voice. There are few absentees. Though their total number is only a fourth of our House of Commons, their attending number is much greater than that which has been on many occasions allowed to decide the weightiest matters at home. There is no division of parties. Every man takes his seat where he chooses. They assemble at eleven o'clock in the morning, and sit, except on special occasions, till three o'clock. There is universal order—no clamour—no interruption; their whole appearance is most imposing. On the walls are inscribed, in large tablets of bronze, the names of the Chiefs who have been the victims of old tyranny, in endeavouring to establish the Constitution. I was delighted at recognising there that of Porlier.

I have been delighted with the enthusiasm and the reverence with which the most illustrious men in this country speak of Bentham. One of the best men in the Cortes said to me, "Cannot Mr. Bentham come among us?—we want him sadly."—*Scotsman*,

*English Administration.*—Whatever may be the failings of the English administration at the present day, a want of decision among the number. A decided Ministry will patronise none but decided agents; and facts tell more forcibly than written instructions, that those who will not blindly obey orders, must make room for men of firmer nerves, and more servile tempers. Earl FITZWILLIAM was dismissed because he ventured to disapprove of dispersing a meeting which was perfectly peaceable, by an armed force, with the loss of many lives. The Earl of FIFE lost his place because he dared to vote against Ministers on a question of finance. Sir R. BAKER found it necessary to resign for having exercised his discretion in a way which humanity appeared to him to dictate: And Sir ROBERT WILSON has been strip of his rank in the army, the well-earned fruit of many a campaign, for no ostensible reason but that of having acted with the spirit of an independent Englishman. Mr. WAITHMAN was taunted by the Secretary of State for interfering, as magistrate of Middlesex, at the utmost personal hazard, when his interference, in the judgement of impartial persons, saved perhaps some hundreds of lives. The Magistrates of Manchester were honoured with public thanks for interfering in a very different way, and with effects which are known to all the world. He must be blind, indeed, who does not learn from these proceedings what sort of services are in request, and what sort of merit now leads to preferment. REYNOLDS has been knighted; OLIVER eulogised and salaried; the Rev. Mr. HAY promoted in the church; honours and emoluments are showered on all who desert or decry popular principles, while almost every man who possesses the confidence of the people is marked out for persecution, and nor a few of them have tasted the sweets of a jail. Such is the spirit of the English system at this moment. What a contrast does Ireland present! There the governing powers interfere to prevent Irish ears from being annoyed by unpopular tunes. Mr. GRANT has actually written to the Lisburn Yeomanry to interdict the use of *irritating airs*. How does such a grievance look when placed beside those which fall to the share of England? Has Ireland at last found out the secret of getting her grievances redressed? Is it that she has asked, as a favour, what England demands as a right; and that the latter, if she wishes for better treatment, must talk no more of Magna Charta and the Bill of Rights, but assume the attitude of a suppliant to Lord LONDON DERRY? We confess we would rather be reviled and buffeted with the Englishmen, than have Irish conciliation on such terms.

*New Sheriffs.*—The city of London has got two new Sheriffs, Aldermen GARETT and VENABLES, and a new Lord Mayor, Alderman MAGNAY, who have all professed their resolution to discharge the duties of their several offices impartially, and without political bias;—professions which, we trust, will be realized, since the public officer who allows party feeling to influence his conduct, is one of the worst offenders, especially if he do so from servility of spirit. The citizens of London have supported the liberties of their country, when they were sinking every where else; but they ought never to forget that these liberties depend much on having Sheriffs imbued with spirit of independence. It is not enough that they elect well-meaning men; they must also elect men of intelligence, who know what freedom is, and who are resolute to defend it. The ensuing year, if we do not wrongly anticipate, will be a trying one—trying for public men, and for the country. May the Livery of London have no reason to repent any choice they have made! May they retain a due sense of what they and the nation owes to their late Sheriff, Mr. Alderman WAITHMAN! Having freely exposed himself to save the effusion of blood—to preserve the lives of his countrymen—he is entitled (as he remarked himself) to something better than an attack upon his character, failing in the success of an attack upon his life. Yet such is the disreputable and wicked course taken by the Ministerial press—and abetted by persons not without pretensions to character—against one of the most patriotic and intrepid men of which our country can yet afford to boast. We take shame to ourselves for being so late in expressing our admiration of the recent conduct of Mr. WAITHMAN. It was worthy of himself—and of the English blood which circulates in his veins—the true English spirit which animates his bosom.—*Scotsman.*

*Montesquieu.*—It is a remark made by Montesquieu, that in proportion as any people love liberty, the milder are their punishments. The ancient Germans and Scandinavians, the most brave and free race of men that perhaps ever existed, knew scarcely any other than pecuniary penalties. In the Eastern despotisms, blood is for ever flowing, and corporal punishments follow upon the smallest violations of the law.—England did better once; but now a man's life is valued at a pound note and less, and men and boys are cut to the bone for slight offences.

*New Bank Notes.*—The public have been kept in suspense for several years, under the expectation that the long promised New Bank Notes would make their appearance as soon as a plan was completed for preventing the possibility of forgeries. We now understand, the whole plan has failed, and in future the same plates for the five-pound notes and upwards will be used as heretofore. After all the Parliamentary inquiries, Committees of the House of Commons, the consultation of able engineers, draftsmen, engravers, printers, &c. and taking the opinion of a host of scientific men, it is found totally impracticable to invent a note that cannot be imitated by others so as to deceive the public. The method that was adopted for striking one-pound notes, has been laid aside, in consequence of the issue of specie; but if it was considered so successful as to warrant its application for small notes, why not adopt it for the five-pound and larger notes?

The severity of our criminal laws against the crime of forgery, and the number of unhappy culprits that have suffered every Session, first awakened the sympathy of the public, and commanded the attention of Parliament, when a Committee of the House of Commons was appointed to investigate the subject. Since the coin has been in circulation, several persons have been convicted of passing forged £1 notes; and only last Session an unfortunate man and his wife received sentence of death together for this offence. The case of this unhappy couple has excited much public commiseration, from the excellent character they had formerly maintained, and the respectable rank they held in society. We hope with this awful example before their eyes, Parliament will still persevere in its laudable endeavours, and notwithstanding the present failure, use every exertion to produce a note that will be more difficult to imitate than those at present in circulation.

Some of the copper-plate printers lately discharged have been 25 years on the Bank establishment; the oldest have been selected, and placed upon the superannuation list, at 30L per annum.

The expense which the Bank has been at, and unfortunately it seems to no purpose, has been immense. Upwards of 100,000£ is supposed to have been spent in endeavouring to bring the plan to maturity. A steam-engine of four-horse power has been erected, thirteen presses furnished, employing upwards of twenty men for fifteen months, at two guineas per week each, a foreman at three guineas, (exclusive of a liberal allowance to the inventor), and four millions of one-pound Notes printed off; and after all this expense, the whole printing establishment has been dispensed with, some of the copper-plate printers discharged, and presses, steam-engine, plates, &c. are laid up in ordinary.

Notwithstanding the complicated difficulties in executing the projected Note, it is said to have been so nicely imitated, that the forged one could not be distinguished from the original, by the most competent judges.

*Barcelona.*—On the 7th of October it is said the number of deaths at Barcelona were upwards of 400, and the next day more than 300. At Tortosa the ravages of the fever were greater than at Barcelona. At Miquinenza almost the whole remaining population had left the town, and fled into the neighbouring woods, where they endured great hardships, being pent in by several cordons, who fired upon them if they approached towards the lines.

*Sir Charles Wolsey.*—Sir Charles Wolsey's imprisonment does not terminate till the 14th of November. Instead of eighteen months' bail for good behaviour, it is to be given for five years.

*Grecian Force.*—Two Greek Bulletins, given in a letter from Corfu, state the defeat of Jussuff Pasha by a Grecian force, on the 28th of August, with the loss of 600 men killed and wounded, and 200 prisoners; the Greeks only losing 26; and also the capture of the fortress of Artas. The number of Greek troops in the Peloponnesus is stated to amount to 30,000, of whom one-third were armed with muskets.

*Moldavia.*—The convent of Secka, in Moldavia, has been stormed by the Turks, and the garrison, together with the monks put to the sword, with the exception of two brave officers, Jordacki and Farmaki, who have been sent to Constantinople.

*Melancholy Catastrophe.*—On Tuesday morning last (Oct. 30), about 8 o'clock, another of those awful catastrophes, which, within these few years, it has too often been our melancholy duty to mention, occurred at Carville colliery, near this town. The pit had been re-opened for working, about 8 weeks, by the owners of the adjoining colliery of Walls-End. The workmen employed in it had been selected as the very prime, for the whole of the extensive works of the owners, and the ventilation was considered as complete as that of any mine on the river. We understand, that there is a band (i. e. a stratum of stone) in the coal, and that it was necessary to use candles in blasting it. However that may be, at the time above mentioned, when 55 persons were in the mine, an explosion of hydrogen gas took place, which killed 52 of them, dreadfully burnt 2 others, one of whom is since dead, and only one miraculously escaped unhurt. The explosion shook the ground like an earthquake, and made the furniture dance in the surrounding houses. The body of one boy was blown high out of the shaft, and fell again to the bottom. By this lamentable event 26 widows, and between 80 and 90 children have been deprived of their support. Forty of the sufferers were under 40 years of age. It is a most remarkable circumstance, that one of them told his wife, before setting out to work, on the fatal morning, that he had dreamt the pit was blown up, and she affectionately entreated him not to go, but he said it was but a dream, and waived her advice. The man who escaped, in the course of an hour bravely ventured down again to the mine to assist in bringing up his unfortunate companions. An inquest was on Wednesday held on the bodies by S. Reed, Esq. and the verdict was, that "the sufferers accidentally came by their deaths by an explosion of hydrogen gas in the working of the colliery." Yesterday afternoon (Nov. 2), they were decently buried in the Walls-End church-yard, at the expense of the owners of the colliery, who presented each family with a guinea for present use, and will afford them houses, fuel, &c. as long as they may need them; but we have little doubt that the benevolence of the public will on this, as on other occasions of a similar nature, step forward to alleviate, as far as pecuniary benevolence can alleviate, the anguish of this unhappy and long train of mourners.

*Serious Accident.*—Another serious accident occurred at Messrs. Nesham's colliery at Newbattle, on the Wear, on the 18th of Oct. by which six of the workmen lost their lives. One of the brattices erected to close up an old working, was broken into, to obtain more air, when a current of choke damp issued from the perforation, which proved fatal to four workmen near. The hole not being instantly closed, the foul air penetrated to most parts of the mine. Mr. Hill, the viewer, accompanied by two of the overmen, descended the next day, to search for the lost, and ascertain the cause. One of the overmen perished from suffocation in the attempt, and Mr. H. was with much difficulty saved by his other companion. Some of the sufferers were married, and have left large families.

*British Loyalty, 1821.*—There has been a curious dispute at Milford:—When the King landed at that place, particular notice was taken of the stone on which he first placed his foot, and this stone was immediately seized upon by some freemasons in the town, who deposited it as a precious relic, with due solemnity, in their lodge. The prize, however, was too valuable to remain undisputed! The lord of the manor put in claim for the possession of the stone, and his demand being backed by the strength of legal opinion, prevailed over the mere possession of the freemasons, and the stone was reluctantly surrendered.

*Imperial Ukase.*—An Imperial Ukase has been published at St. Petersburg, in which all trade along the north-west coast of America to an immense extent is confined exclusively to Russian subjects.

*Fun of the late Mr. Curran.*—A Mr. Hudson, who has made a large fortune as a *tooth-drawer*, had built a very expensive country-house close to Mt. Curran's, at Rathfarnham, near Dublin, but of such an extraordinary construction as to bid defiance to the criticism of the architect. One day, after dinner, at Mr. Curran's, this singular mansion became a subject of merriment for his guests. The question for their satirical enquiry was,—*What was its order of architecture?* One said, Oh it certainly was *Grecian*; another contended that it was *Saxon*, and a third that it was *Oriental*: when their host, with his usual vivacity and superiority of wit, thus interposed:—*'Excuse me, gentlemen,' said he, 'you are all wrong—it is *Tusk-an!*'* From the irregularities of this mansion, and from its proprietor being a *dentist*, the Irish call it '*Snaggle-tooth-hall*'.

*Indian Eloquence.*—The following specimen of elegiac pathos was delivered by an Indian over the contiguous graves of her husband and infant:—*'The father of life and light has taken from me the apple of my eye and the core of my heart, and hid them in these two graves. I will moisten the one with my tears, and the other with the milk of my breast, till I meet them again in that country where the sun never sets!'*

*Advantage of a bad Character.*—The Paris papers give an account of the acquittal of one *Desjardins*, charged with being an accomplice in the murder of the Duke de Berri. His escape was owing to his *bad character*, for he *proved himself* to be such a notorious babbler, liar, and boaster, that nobody ever believed a word he uttered. The fact, therefore, that he uttered words avowing his participation in the assassination, only convinced the judge and jury that he was innocent of the crime. One of his best witnesses was his sister, who declared that he was in the constant habit of talking of things he had never seen, and of transactions of which he knew nothing; and he would not stop at saying he was connected with the most atrocious of mankind, if he thought it was likely to give him a vicious importance with his friends. She however added, that, notwithstanding all this, he was a very honest man. The judge remarked, that it was a little singular, that in a court of justice even extreme bad character should be a man's best defence. Here, however, it went to show he had no malice in what he said.

*Royal Regulations.*—The following directions are given in a MS. regulating the household of the atrocious Henry VIII.:—His highness's baker shall not put alum in the bread, or mix rye, oatmeal, or bean flour with the same; and if detected, he shall be put in the stocks. His highness's attendants are not to steal any locks or keys, tables, forms, cupboards, or other furniture, out of noblemen's or gentlemen's houses where he goes to visit.—Master-cooks shall not employ such scullions as go about naked, or lie all night before the kitchen fire. Dinners to be at ten, and suppers at four. The officers of his privy chamber shall be loving together: no grudging or grumbling, nor talking of the King's pastime. The King's barber is enjoined to be cleanly—not to frequent the company of misguided women, for fear of danger to the King's royal person!—There shall be no romping with maids on the staircase, by which dishes and other things are often broken. The pages shall not interrupt the kitchen maids; and he that gets one of them with child, shall pay a fine of two marks to his highness, and have his allowance of beer withheld for a month. The brewers not to put any brimstone in their ale.

*Royal Navy.*—Ships building, and ordered to be built at Chatham, viz.—

*Building.*—KING GEORGE THE FOURTH, 120 guns; FORMIDABLE, 84; POWERFUL, 84; DIANA, 46; RATTLESNAKE, 28; WEASLE, 10; Procris, 10; Etna, bomb; Basilisk, revenue cutter.

*Ordered to be Built.*—Neptune, of 120 guns; Mermaid, 46; Unicorn, 46; Rainbow, 26; Crocodile, 26; Sulphur, bomb.—*Kentish Gazette, Nov. 2.*

*Anecdote of Mr. West.*—The late venerable and truly respected President of the English Royal Academy Mr. West, was applied to many years ago by a Lady to execute one of his small works to fill a pannel in her Boudoir, which would be so much ornamented by his skill and talent. Very glad of the commission, he performed it and sent to her. "Oh!" "It was a Beauty," "A Bijou," "perfect," nothing could exceed it!!! "And now Mr. West," said the Lady, "let me request to know how much I am to pay you for it." Mr. West replied "Twenty-five Guineas Madam." The Lady, all astonishment, exclaimed "Five and twenty Guineas, Sir? Five and twenty Guineas for a work which could not have engaged your Pencil more than a few hours in doing it?" "Very true Madam" replied the President "but I was Five and Twenty years learning HOW to do it."

*Great Scottish Novelist.*—It is confidently stated, in the *Memoirs of the Kit-Cat Club*, that the great Scottish Novelist has received from one bookseller alone, Archibald Constable, of Edinburgh, nearly one hundred thousand pounds. If this account be correct, and it is given with an appearance of authenticity, it is quite impossible that any one but Sir Walter Scott should have written them, as it is only by taking into consideration the sums paid to this successful writer for his poetry and philology, that so large a sum can be accounted for. The author of *Waverley*, for his works of fiction, has not certainly received more than from fifty to sixty thousand pounds,

*Blasphemy.*—On this subject the following letter has just reached us:—

In a provincial paper, containing an account of the King's entry into Hanover, I find the following paragraph:—

"In the evening, the city was finely illuminated; transparencies and inscriptions were displayed on all sides, and there was not a single house unilluminated. Even religion afforded its source of satisfactory congratulation. The White Horse of Hanover was associated with that mentioned in the book of Revelations, xix. 11. *And I saw Heaven opened, and behold, a white horse, and he that sat upon him was called Faithful and True, and in righteousness he doth judge and make war.*"

The above appears to be extracted from the chaste columns of the COURIER. The parades of Hone were a profane imitation of the English Ritual; the foregoing is a blasphemous application of the Sacred Text; but the one is applied to flatter a King *de facto* as well as *de jure*, and the other was employed to ridicule and expose the measures of his Ministers; there lies the difference; and every one knows that the intention constitutes the crime. Do you know whether there is an Attorney-General in Hanover?

*Paris, Sept. 6. (Private Letter.)*—The chief subject of Parisian solicitude at present is the approaching visit of the King of ENGLAND. Many and various are the conjectures, and long and learned the disquisitions upon the important point of the first meeting of the two Monarchs. It seems there are considerable difficulties lying in the way; for as it is impossible that LOUIS *dix-huit* can, from the state of his legs, stand up to receive his Royal and Illustrious Brother GEORGE, it is said, that to prevent all compromise of dignity, a magnificent state chair is preparing for his Majesty of ENGLAND, in which he is to be rolled into the presence of the Grand Monarque, who, at the same time, is to be pushed forward to meet him. There is an officer of the Household, whose peculiar duty this is—he is called *pousse fauteuil*. By his ingenious contrivance all difficulties may be put aside, both Monarchs preserve their dignified equality undiminished, and no dangerous precedent will be established, fraught with dire and dreadful consequences to the state and privileges of future LOUISES and GEORGES.

*Lieut. Charles Peake.*—On the EURYALUS frigate being paid off, the seamen presented their first Lieutenant, Lieut. Charles Peake with a handsome silver cup and cover, and an elegant uniform sword and belt, in token of their esteem for his kind, officer-like, and gentlemanly conduct towards them.

*Duke of Montrose.*—It is stated that the Duke of Montrose has refused the situation of Lord Chamberlain.

*Architectural Works.*—The celerity with which architectural works are undertaken and executed in this city is truly astonishing. But the most extraordinary instance of rapid building is that of the New Circus, which may be said to connect the village of Stockbridge with the New Town of Edinburgh. In the space of little more than twelve months, the whole Circus with the exception of one house, has been begun and completed; and a considerable part of it is already inhabited. In addition to the buildings, the pavement of the street around the Circus is nearly completed; and the ground in the centre inclosed with an elegant railing, and tastefully planted.

*Perpetual Motion.*—A very curious piece of mechanism was exhibited at Whitehaven during the last 10 days, which has been in motion with only one interval (as we are assured and believed to be a fact), five years or upwards. It consists of only one small horizontal wheel, not exceeding three-fourths of an inch in diameter; through the centre of which, on the plane of the wheel, passes a small magnetic bar, projecting about three-fourths of an inch beyond the circumference of the wheel on the one side, and about three eights of an inch on the other side. These projections are called the North and South Poles. The axis of the wheel is, of course, perpendicular. Its operative power is magnetism. Its motion (probably owing to the friction inseparable from the long continued action of the axis in its sockets) is somewhat irregular; but on the whole, it is a curiosity highly deserving attention. We are sorry to add, that, owing to a sudden shock which the delicacy of its adjustment was but ill calculated to bear, it motion was stopped entirely the other day, and we have not been able to learn whether it has yet been restored. About two years ago it was stopped by some unknown cause; but, after a short pause, recovered its motion of itself, without any additional impulse, and continued its rapid revolutions without intermission till it met with the accident in this town as above mentioned.—*Whitehaven Gazette*.

*A Mill without Water.*—Mr. John Telford, of Tennessee, has obtained a patent from the United States for an improvement in a vertical wheel to be worked by the weight and action of a horse or horses, or any other animal that has weight and action, on a simple plan, so that one large horse can grind corn, &c. with a pair of stones four feet in diameter: or two can perform the operation of sawing, equal to any water-mill.

*The Grave.*—“There the wicked cease from troubling,” is an expression which bears two constructions; either that *there* their victim is safe from their malignity; or, that they themselves must in turn bow their heads to that narrow prison-house, and be stretched by those who rest from their weariness of enduring their oppressions. The former I take to be the real meaning; but this too is an obvious truth. There the wicked and the weary mingle. There are persecutors and persecuted—inquisitors and their martyrs? Bonner and Cranmer, Calvin and Servetus, There are licentious tyrants and their victims; Herod and Mariamne, Nero and Octavia, Henry and Catherine. There are properous oppressors and murdered patriots, Edward and Wallace. Charles and Russel. There, a future generation will say, are Caroline of Brunswick and her witnesses, accusers, betrayers, and persecutors.”—See Mr. Fox’s honest and eloquent “Funeral Sermon for Caroline Queen of England, delivered at Parliament-court Chapel, on Sunday, August 11.” Just now published.

*Prince Leopold.*—Advices were on Monday (Sept. 11.) received from Prince Leopold, who is at present on a visit at Coburg to his mother stating, that his return to this country may not be expected till spring. His Royal Highness has sent orders for the whole of his establishment in England to go into deep mourning for her late Majesty.

*Provisions.*—Government, on the 30th of August, sold by auction, at Greenwich, 1,500 casks of provisions, two years old. The beef averaged 90 shillings a tierce, and the pork 60 shillings per barrel.

# LITERATURE

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## JURISPRUDENCE.

There is perhaps nothing by which the interests of mankind are more deeply affected than the framing and administration of Laws, errors in which are fatal to the lives and fortunes of many, and more or less affect the happiness of all, and the improvement of which it is therefore an important and pleasing duty for every man to promote, to the best of his abilities. With this impression, we embrace the present opportunity of republishing the closing portion of a long Article on Jurisprudence from the 5th Part of the Supplement to the Encyclopaedia Britannica, from which we recently quoted part of an Article on India, and which we believe is still in very few hands, so that besides the importance of the subject, the observations will hence also novelty to recommend them.

The stages, we have observed, are three. The first is that in which the plaintiff adduces the investitive fact on which he relies, and is met by the defendant either with a denial of the fact, or the affirmation of another fact, which, to maintain the suit, the plaintiff must deny. The second is that in which evidence, to prove or disprove the fact on which the affirmation and denial of the parties ultimately rests, is adduced and decided upon. The third is that in which the operations are performed necessary for giving effect to the sentence of the judge.

What is desirable in the operations of the first stage is, 1st, That the affirmations and negations with respect to the facts should be true; and, 2dly, That the facts themselves should be such as really to have the investitive or divestitive quality ascribed to them. For the first of these purposes, all the securities, which the nature of the case admits of, should be taken, for the veracity of the parties. There is the same sort of reason that the parties should speak truly, as that the witnesses should speak truly. They should speak, therefore, under all the sanctions and penalties of a witness. They cannot, indeed, in many cases swear to the existence or non-existence of the fact; which may not have been within their cognisance. But they can always swear to the state of their belief with respect to it. For the second of the above purposes, namely, that it may be known whether the facts affirmed and denied are such as to possess the investitive or divestitive quality ascribed to them; two things are necessary; the first is, that all investitive and divestitive facts should have been clearly predetermined by the legislature, in other words, that there should be a well made civil code; the second is, that the affirmations and denials with respect to them should be made in the presence of somebody capable of telling exactly whether they have the quality ascribed to them or not. The judge is a person with this knowledge, and to him alone can the power of deciding on matters so essential to the result of the inquiry be entrusted.

To have this important part of the business, then, done in the best possible way, it is necessary that the parties should meet in the very first instance in the presence of the judge. A is asked, upon his oath, to mention the fact which he believes confers upon him his right. If it is not a fact capable of having that effect, he is told so, and his claim is at an end. If it is a fact capable of having that effect, B is asked whether he denies it; or whether he affirms another fact, either one of those, which happening previously, would prevent it from having its investitive effect, or one of those which, happening subsequently, would put an end to the right to which it gave commencement. If he affirms only a fact which could have neither of these effects, the pretension of B would be without foundation.

Done in this manner, the clearness, the quickness, and the certainty of the whole proceeding are demonstrated. Remarkable it is, that every one of the rules for doing it in the best possible manner, is departed from by the English law, and that to the greatest possible extent. No security whatsoever is taken that the parties shall speak the truth; they are left with perfect impunity, aptly by Mr. Bentham denominated the *mendacity-licence*, to tell as many lies as they please. The legislature has never enumerated and defined the facts which shall give commencement, or put a period to rights; the subject, therefore, remains in a state of confusion, obscurity, and uncertainty. And, lastly, the parties do not make their affirmations and negations before the judge, who would tell them whether the facts which they allege could or could not have the virtue ascribed to them; they make them in secret, and in writing, each along with his attorney, who has an interest in making them not in the way most conducive to the interests of his client, but in the way most conducive to his own interests, and those of his confederates, from the bottom to the top of the profession. First, A, the plaintiff, writes what is called the declaration, an instrument for the most part full of irrelevant absurdity and lies; and this he deposits in an office, where the attorney of B, the defendant, obtains a copy of it, on paying a fee. Next B, the defendant, meets the declaration of A, by what is called a plea, the form of which is not less absurd than that of the declaration. The plea is written and put into the same office, out of which the attorney of the opposite party obtains a copy of it on similar terms. The plea may be of two sorts; either, 1st, a dilatory plea, as it is called; or 2dly,

a plea to the action. To this plea the plaintiff may make a replication, proceeding through the same process. To the replication the defendant may, not in a rejoinder. The plaintiff may answer the rejoinder by a sur-rejoinder. This, again, the defendant may oppose by a rebutter and the plaintiff may answer him by a sur-rebuter.

All this takes place without being once seen or heard of by the judge; and no sooner has it come before him, than some flaw is perhaps discovered in it, whereupon he quashes the whole, and sends it to be performed again from the beginning.

This mischievous mess, which exists in defiance and mockery of reason, English lawyers inform us, is a strict, and pure, and beautiful exemplification of the rules of logic. This is a common language of theirs. It is a language which clearly demonstrates the state of their minds. All that they see in the system of pleading is the mode of performing it. What they know of logic is little more than the name.

The agency necessary for the performance of this stage of the business, is some person, who, when he hears a fact affirmed or denied, can tell whether it is one of those facts to which the legislature has attached the power of giving commencement or of putting a period to rights. It is evident, that on such occasion, any one person, with the requisite knowledge, attention, and probity, is as competent to the task as a hundred. If he is single, the attention and probity is likely to be the greatest, as responsibility is not weakened merely, it is almost annihilated by being shared. There should be one judge, therefore, and not more, to superintend that branch of procedure which consists of pleading.

The agency best adapted to the business of the second stage of jurisdiction, is that which next demands our attention. The business of that stage is, the taking of evidence; in other words, the doing all that is necessary to ascertain whether the disputed fact happened or did not happen.

The subject of evidence is a matter of complexity in the detail. And where any thing complex is to be stated in words, there is always difficulty in the expression, how plain soever the ideas. Such general considerations, however, as we can even here adduce, will, we hope, throw sufficient light upon the subject, to leave no doubt with respect to the conclusions which we have it in view to establish. This is one of the topics, connected with law, which Mr. Bentham has exhausted, though a small part only of what he has written upon it has yet seen the light.\*

With respect to all facts, legally operative, that is, which give or take away rights, it is desirable that evidence, amounting to proof, should, if possible, always exist. With respect to a great proportion of them, it is in the power of the legislature to take measures, that evidence of them shall be collected at the moment of their happening, and shall be preserved. This is the case with all those of which an evidentiary writing can be made and preserved by registration; all contracts, births, deaths, marriages, and so on. The proportion is really very great of the whole number of facts, legally operative, in regard to which a legislature, by proper means, might secure the existence of evidence, and to that extent might either prevent disputes, or render the decision of them easy. That so little of this most important and obvious work has anywhere been done, only shows how ill the legislatures of the world have hitherto performed the task. It is in the power of the legislature, by a proper classification, to have an accurate formulary, for the different species of contracts, wills, and other evidentiary writings. Those formularies, properly made and printed with blanks to fill up, would render the business of Conveyancing, which, in England, is a boundless, trackless, and almost impenetrable jungle, abounding with expence, with delay and vexation to parties, with wealth and almost boundless power over the fortunes of other men to lawyers, a thing of the greatest simplicity, certainty and ease.

Into the question of what might be, and ought to be done by the legislature, for making and preserving evidence of the principal facts by which rights are made to begin or to end, we cannot enter at length, on the present occasion. The great importance which belongs to the subject, is evident from what we have thus shortly advanced.

The business of him who is only called upon to determine whether a disputed fact did or did not happen, is, to make the best use of all the evidence which exists; whether it were, or were not desirable, that more had been made to exist. For the best use of that which exists, three things are necessary:

1st, That the whole of it should be made to bear, that is, should be taken and applied.

\* We are happy to say, there are hopes that this part of Mr. Bentham's writings will soon be presented to the public by M. Dumont, the first of translators and redacteurs, in that happy form which he has given to other portions of that philosopher's manuscripts.

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*2dly*, That it should be taken in those circumstances which are most conducive to trust-worthiness.

*3dly*, That the proper value should be set upon each article, and upon the whole.

1. That the evidence may be taken as completely as possible, two things are necessary. The first is, that the judge should have power to send for, and to compel the attendance of, all persons and things which may be capable of affording evidence. The second is, that the evidence should all be taken, and nothing be omitted or lost.

It is not necessary here to enter into any details with respect to the first of those requisites. The necessity of the powers is obvious, and the end to be attained is so precise and perspicuous, that there can be no difficulty in conceiving the mode of putting together and applying the means. There is no limit, it is obvious, to the physical power which should be placed at the disposal of the judge. He ought to have the right of calling upon every man, upon the whole community, to aid him in any act which is necessary to the performance of any part of his judicial duty; because any force, opposed to the performance of that duty, there ought to be a force sufficient promptly to overcome. It is convenient, however, to the community, instead of being liable to be called upon, individually, for the performance of the ordinary services auxiliary to the business of the judge, to provide him with a proper number of officers, paid for attending to execute his commands. Their principal business, as regards this stage of the judicial proceedings, is, to serve notice upon any persons whose own presence, or that of any writing or other thing which they may possess, is required by the judge. Persons or things, subjected immediately to the operations of judicature, have a particular name in English. They are said to be *forthcoming*, a word which has an exact equivalent in few other languages, and is exceedingly appropriate and useful. It is of the greatest convenience, when a concrete term, the use of which is very frequent, has an abstract term corresponding to it; as good, has goodness; hard, hardness, and so on. There was not any word in the language corresponding in this way to *forthcoming*. Mr. Bentham, perceiving the great need of it, made the term *forthcomingness*; not exceptionable on the score either of harshness or obscurity. The small wits thought proper to laugh at him. We shall, nevertheless, sorry at the same time that we cannot supply a defect in the language without offending them, make use of the word, in which we find great appropriateness and great convenience. This particular branch, therefore, of the judicial agency is that which relates to *forthcomingness*; and *forthcomingness* is required for two purposes, both for evidence and for justiciability; for evidence, that a true decision may be passed; for justiciability, that the sentence of the judge may not fail of its intended effect.

So much with respect to the *forthcomingness* of evidence. The second condition, required to give the decision the benefit of all the existing evidence, is, that the whole should be taken, and that not any part of it which can be taken without preponderant inconvenience should be excluded and lost.

Of the several articles of evidence, some will always be of more importance; some of less; and some may be of very little importance; but whether of little or of much, it is always desirable that all should be taken, and every the smallest portion counted for what it is worth. The discovery of truth is promoted by taking advantage of every thing which tends to throw light upon the subject of dispute.

These propositions, it may appear to be useless, indeed impertinent, formally to state. They are too evident, it may be said, to be disputed, and too important to be overlooked. Important as they are, and undisputed by all the rest of the world, they are not only disputed, but trampled upon by lawyers, especially English lawyers. They have unhappily established a set of rules in direct opposition to them. These rules they applaud in all forms of expression, and celebrate as guards and fences of all that is dear to mankind.

In all causes, they have determined, that persons so and so situated, things so and so situated, though apt to be pregnant with information beyond all other persons and things, shall not be admitted as sources of evidence. Thus, in English law, we have incompetency of witnesses, that is exclusion of them, *1st*, From want of understanding; *2dly*, From defect of religious principle; *3dly*, From infamy of character; *4thly*, From interest. These are undisguised modes of exclusion; besides which, there is an extensive assortment of disguised modes. Under this title comes the rule, that only the best evidence be given which the nature of the case admits of; according to which, it often happens, that the only evidence which can be had is excluded. Under this title also falls the rule, making certain kinds of evidence conclusive, by which proceeding, all other evidence is excluded. To the same list belongs the rule, that hearsay evidence is not admissible. The rules, so extensive in their application, by which writings are wholly rejected, only because they want certain formalities, are rules of exclusion; and so are the limitations with respect to time, and to number of witnesses. Into the very extensive subject, however, of the absurdity and mischievousness of the

rules of evidence in English law, we cannot pretend so much as to enter. A remarkable exemplification of them was afforded on the trial of Warren Hastings, to which, for this purpose, the reader may be referred. (See Mill's *History of British India*, Book VI, Chap. III.)

The only conceivable reasons for the exclusion of evidence are three:

1. Irrelevancy.
2. Inconvenience in obtaining and producing.
3. Danger of deception.

With regard to irrelevancy, the decision is clear. What has no tendency, either to prove or disprove the point in question, it would be loss of time to receive.

With regard to inconvenience, it is no doubt liable to happen, that when all the good which can be expected from the obtaining of a lot of evidence is compared with the evil of the delay, cost, and vexation, inseparable from the obtaining of it, the evil may be more than an overmatch for the good. In all such cases, it is expedient that the lot of evidence should be foregone.

As a guard against the danger of deception, it is equally certain that no evidence ought ever to be excluded. An account of all the reasons by which the absurdity is demonstrated of exclusion on this ground, and of the wide and deplorable mischief which, in the vulgar systems, is produced by it, would be far too extensive for the contracted limits of the present discourse. Reasons, however, decisive of the question, present themselves so obviously, that hardly any man, with an ordinary understanding, not fettered by prejudice, can look at the subject without perceiving them.

If evidence is to be received from no source from which evidence liable to produce deception, is capable of coming, evidence must not be received at all. Evidence must be received from sources whence false evidence, as well as true, is liable to flow. To refuse all information from such sources, is not the way by which a knowledge of the truth can be obtained. This is the way to make sure of not having that knowledge. The means of obtaining it are, to receive information from every possible source, and to separate the bad from the good, under all those securities, and by the guidance of all those marks, of which understanding and attention know how to avail themselves.

It is not enough to say, we will receive information from those sources only which are least likely to yield deceptive evidence, refuse to receive it from those which are most likely. You are obliged to receive it from sources differing in almost all possible degrees of likelihood. Where are you to draw the line of separation? Is not the same discernment which guards you against the danger of false information from the sources which you deem the least likely to yield it sufficient to guard you against those sources which you deem the most likely to do so? In fact it will be still more sufficient because in this case you will be much more apt to be upon your guard. The very best information is, in truth, liable to be derived from the very worst of sources,—from a man who, you know, would not tell you one word of truth, if he could help it.

The securities that a man will give true information, independently of those artificial securities which the legislature can apply equally to all, are, *1st*, Intelligence. *2d*, Probity. *2d*, Freedom from interest. Suppose that one, or two, or all of these securities are wanting; it only follows, that what he states should be heard with a proportional distrust. It may still be of the utmost importance to the discovery of the truth that he should be heard. It never can be less than unfavourable to that great end that, with the proper allowances, he should not be heard at all. His testimony may appear, when heard, to be utterly unworthy of credence. But that could not be known till it was heard and examined. It might so have been, that it was not only worthy of credence, but completed the proof of a fact of the greatest possible importance. That a man should not be heard as a witness, on account of his religious creed, is an absurdity which we cannot descend to notice.

2. The second of the three things which we found necessary, as above for making the best use judicially of whatever evidence, to the fact in question, exists, was that it should be taken under those circumstances, which are most conducive to trust-worthiness. Those circumstances are constituted by the artificial securities, which arrangements can be made to apply. The following enumeration of them has made by Mr. Bentham (*Introduction to the Rationale of Evidence*, p. 54), and appears to be complete.

1. Punishment.
2. Shame.
3. Interrogation, including counter-interrogation.
4. Counter evidence,—admission of.
5. Writing,—use made of it for giving permanence, &c. to evidence.
6. Publicity,—to most purposes and on most occasions.
7. Privacy,—to some purposes, and on some occasions.

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For developing the import of these several securities, we can afford to say nothing. The principal operation of the judicial functionary in this part of the business is, to preside over the interrogation; to see that it is properly and completely performed. The question, then, what is the sort of agency best adapted for the performance of this part of the task of taking evidence is not difficult to answer. There is nothing in it which one man, with the proper intellectual and moral qualifications, is not as capable of performing, as any number of men.

3. All the existing evidence being collected and received, it only remains that the proper value should be attached to the several portions, and a corresponding decision pronounced.

It is sufficiently evident that, for the performance of this duty, no very precise instructions can be laid down. The value which belongs to an article of evidence often depends on minute and almost indescribable circumstances; and the result must be left to the sagacity and conscience of the judge.

At the same time, however, service to this end, and of the greatest importance, may be, and, of course, ought to be, rendered by the legislature. The different marks of trust-worthiness may, to a certain extent of particularity, be very correctly described. This being done, the difference between the value of any two lots of evidence, to which those marks attach, may be very exactly ascertained. One has a certain number of the marks of trust-worthiness, as laid down by the legislature; another has all these and so many more; the result is clear. It is evident, that as far, in this respect, as experience and foresight can go, nothing should be left undone by the legislature.

Another important service can be rendered by the legislature; and that is, to provide an accurate language for the judge; a language in which he can express precisely the degree of value which he allotted to each article of evidence, and to the whole. Various expedients may be adopted for this purpose. A very obvious one is, to fix upon some particular, well known article of evidence, the value of which all men appreciate equally; the clear testimony, for example, of a man of the ordinary degree of intelligence and probity; as a standard. Is the value to be expressed, which the judge attaches to any other article of evidence? If inferior to the standard, it falls below it by so many degrees, one, two, three, four. If superior, it rises above it by so many.

Having provided an accurate language, the legislature should take security that it be used; and admit of no vague and general expressions in the account of the value which the judge attaches to each article of the evidence on which he grounds his decision.

At the same time that the legislature insists upon the use of precise language in stating the value of evidence, it should insist upon reasons; upon receiving from the judge, a precise statement of the grounds upon which he attaches such a value, and no other, to each and every article of evidence; that is, upon receiving a reference, as exact as language can give, to each of the circumstances which contributed to suggest to him that particular estimate which he says he has formed.

Of the importance of all these expedients we presume that no illustration is required.

We come now to the third and last stage of the business of judicature; when all that remains is to carry into effect the sentence of the judge.

When they, upon whom the sentence operates, are willing to obey, all that is necessary is to afford them notice of what it requires them to perform. In well ordered countries, all but a very insignificant number will be found to be cases of this description. When opposition is to be overcome, a physical force must be provided, sufficient for the purpose. As there seems nothing mysterious in determining how this should be formed, and under what rules it should act, to secure the ends for which it is provided, with the smallest possible amount of collateral evil; we shall here take leave of the subject.

We have now seen the whole of the operations to be performed. The parties are received to state before the judge the investigative or disinvestigative facts on which they rely. If they state, for this purpose, a fact which is not possessed of those qualities, they are immediately told that it is not possessed of them, and not calculated to support their claim. They come, by two or three steps, at the longest, to a fact upon which the question ultimately turns; and which is either contested, or not contested. In a great many cases it would not be contested. When the subject was strip of disguise, the party who had no right, would generally see that he had no hope, and would acquiesce. The suit would thus be terminated without the adduction of evidence. When it was not, the cases would be frequent in which it might be terminated by the evidence which the parties brought along with them. In these cases, also, the first hearing would suffice. A vast majority of the whole number of suits would be included in these two sets of cases. For the decision of a vast majority, therefore, of the whole number of suits, a few minutes would suffice. When all the evidence could not be forthcoming at the first hearing, and only then would a second hearing be required. In this mode of pro-

ceeding, justice would be, that without which it is not justice, expeditious and cheap.

In all this there is nothing which one man, with the appropriate intellectual and moral qualities, is not as competent to perform as any number of men. As one man is cheaper than any greater number, that is one reason why no more than one judge should be allowed to one tribunal.

The next object of inquiry is, to ascertain what securities can be provided that those who are entrusted with the business of judicature shall possess the requisite intellectual and moral endowments.

The intellectual endowments depend upon those who have the power of choosing and of dismissing the judges; and who do or do not appoint men whose knowledge and capacity are ascertained. The moral behaviour of the judges depends upon the interests which act upon them in the situation in which they are placed.

Into the question, who should have the appointment of the judges, we do not intend to enter. The answer would be different under different forms of government; and this is not the place to compare the different forms of government, either for this or any other of the ends of its institution. One thing only we shall state, because it carries its evidence along with it. Those who appoint the judges ought to have no interest contrary to the best administration of justice.

As the uprightness of the judge is assailed by interests inseparable from his situation; viz. the profit which he may derive from misdecision, it is necessary to counterbalance them by opposite interests, assuming the character of securities. Several of the securities, which we have already seen applying to the situation of witness, apply also to the situation of judge: Some are peculiar to each. The following is the list of those which apply to the situation of judge.

1. Punishment.
2. Shame.
3. Publicity.
4. Writing, for the sake of accuracy and permanence.
5. Singleness of the functionary.
6. Appeal.

For the Punishment of the several kinds of judicial offences, provision ought to be made in the penal code.

In the case of the judge there is particular occasion to point accurately, and to strengthen to the utmost, the operation of *Shame*; for in the situation of judge it is possible to be guilty of offences very numerous and very serious, without permitting so much of evidence to attach to any definite act, as would suffice to form a ground for punishment.

The great instrument for the application of shame is *Publicity*. The importance of publicity, therefore, is paramount. It is not only the great instrument for creating and applying the moral sanction, the approbation and disapprobation of mankind; but it is of essential service towards the application of punishment, by making known the occasions on which it is deserved. It is not only a great security in itself, but it is the principle of life and strength to all other securities.

All other publicity is feeble and of little worth compared with that of the *Press*. Not only, therefore, ought this to be allowed to operate with its utmost force upon the judge, but effectual provision ought to be made to cause it to operate upon him with its utmost force. Not only ought the judgment hall to be rendered as convenient as possible for the reception of the public; not only ought the greatest freedom to be enjoyed in publishing the proceedings of the judge; and in publishing all manner of observations upon them, favourable or unfavourable; but measures ought to be taken to make a public, and to produce publication, where there is any chance that a voluntary public, and voluntary publication, would be wanting. For this purpose, unless other very important considerations intervene, the judgment seat should always be in that place, within the district to which it belongs, where the most numerous and intelligent public, and the best means of publication, are to be had.

In England, where there is no definition of libel, and where the judges, therefore, are allowed to punish, under the name of libel, whatever writing they do not like, the publishing of unfavourable observations on the conduct of a judge; nay, in some instances, and these the highest in importance, the simple report of his proceedings—is treated as one of the most heinous of all possible offences. No wonder! Allow judges, or allow any men, to frame laws, and they will frame them, if they can, to answer their own purposes. Who would not, if he could, make a law to protect himself from censure? More especially if he were a man disposed to act in such a way as to deserve censure?

Would you allow falsehood to be published against the judge! The word falsehood is here ambiguous. It means both erroneous opinions, and false statements with regard to fact. Erroneous opinions we would undoubtedly permit, because we know no standard for ascertaining them, other than that which is afforded by public discussion; and because this is an adequate remedy for all the evil which erroneous opinions have any tendency to produce. Affirmation of facts injurious to

the judge, if false, and made without reasonable grounds for having been believed to be true, we would prevent.

Allow facts, injurious to the judge, to be published, even when true; allow comments, unfavourable to the judge, to be made upon his actions, you discredit the administration of justice. Discredit the administration of justice, to which the people are resorting every day for the greatest of all possible benefits, protection from injury! As well talk of discrediting the business of a bread-baker, a meat-seller, if the fraudulent dealer is exposed to the censures of the public! Discredit the administration of justice, indeed, by taking measures of security against the vices of judges; indispensable for its perfection!

The importance of recording in permanent characters, what takes place before the judge, we must content ourselves with assuming. We may do so, it is presumed, with propriety, on account of the facility with which the reasons present themselves. We must also leave it to our readers to draw the line of distinction between the occasions on which it is requisite, and the occasions on which it may be dispensed with; the occasions, for example, where every thing is simple and clear, and all parties are satisfied.

It is a great security, both for diligent and for upright conduct in the judge, that he occupy *singly* the judgment seat. When a man knows that the whole credit and reward of what is done well, the whole punishment and disgrace of what is done ill, will belong to himself, the motive to good conduct is exceedingly increased. When a man hopes that he can shuffle off the blame of negligence, the blame of unfairness, or fix a part of it on another, the uncertainty of the punishment operates, as we have already seen, to the diminution, and almost to the extinction, of its preventive force. Certain common, and even proverbial expressions, mark the general experience of that indifference, with which a duty, that belongs in common to many, is apt to be performed. What is every body's business is nobody's. This is as true in the family as in the state; as true in judicature as in ordinary life. Much remains to be said upon this topic, which is one of great importance; but we must pass to the next.

Of the use of appeal, as a security against the misconduct of the judge, there is the less occasion to adduce any proof, because it seems to be fully recognized by the practice of nations.

One thing, however, which is not recognized by that practice, is, that, if it is necessary in any one sort of causes, so it is in every other, without exception. Not a single reason can be given why it should exist in one set of cases, which is not equally strong to prove that it should exist in any other.

It is instructive to observe the cases in which it has been supposed that it ought to exist, and the cases in which it has been supposed that it might be omitted. The cases in which it has been thought necessary, are those which concern property of considerable value. Those in which it has been dispensed with are those which concern property of inconsiderable value. The first set of cases are those which are of importance to the aristocratical class; the second, are those which are of no importance to that class. It is the aristocratical class who have made the laws; they have accordingly declared that the suits which were important to them should have the benefit of appeal; the suits not important to them should not have the benefit of appeal.

We recognize only one standard of importance; namely, influence upon human happiness and misery. The small sum of money for which the suit of the poor man is instituted is commonly of much greater importance to him, than the larger sum for which the suit of the rich man is instituted is to the rich. Again, for one rich man there are thousands and thousands of poor. In the calculation, then, of perfect benevolence, the suits for the small sums are not, as in the calculation of perfect aristocracy, those of the least, or rather no importance; they are of ten, thousand times greater importance than the suits for the largest sums.

If an appeal ought to be had, how many stages should there be of appeal? This question, we imagine, is easily answered. If you go for a second judgment, you should, if possible, go to the very best source: and if you go at once to the best source, why go any farther?

What is required to be done, in the case of an appeal, is the first thing which deserves to be ascertained. An appeal takes place in consequence of a complaint against the previous judge. Where no complaint, there is no appeal, nor place for appeal.

A complaint against the judge must relate to his conduct, either at the first, the second, or the third stage, of the judicial operations.

If to his conduct at the first stage, it must be a complaint of his having permitted a party to rest upon a fact which had not the inventive or dispositive quality ascribed to it; and this implies either a mistake with respect to the law, or that he allowed the decision to turn upon a fact which did not embrace the merits of the question. It is evident, that for the decision of this question, all that is necessary is an exact transcription of the pleadings, and transmission of them to the court of appeal.

If the complaint relates to his conduct at the second stage, it must turn upon one of two points; either that he did not take all the evidence or that he did not properly determine its value.

If he did not take the evidence properly, by a failure either in assembling the sources of it, or in extracting it from them when assembled, the proper remedy is to send back the cause to him, with an order to him to supply the omission; or, if he be suspected of having failed wilfully, to send it to the judge of one of the neighbouring districts, to re-take the evidence and decide.

If the complaint relates to a wrong estimate of the evidence, the statement of it transmitted to the court of appeal, with the reasons assigned by the judge for the value affixed to every portion of it, will enable the appellate court to decide.

With regard to the third stage, the only complaint there can be is, that the judge has not taken measures to execute his own sentence. If an inquiry is in this case to be made, the proper course is, that the appellate court refer it to one of the neighbouring judges. When a simple act is to be done, the proper order is to be dispatched, and the proper penalties for non-performance exacted.

It thus appears, that for every thing which is required to be done, by the appellate judicature, nothing whatsoever is required, as a foundation, but certain papers. The presence is not required, either of parties or of witnesses.

As it is of no great consequence, in a country in which the means of communication are tolerably provided, whether papers have to be transmitted 50 or 500 miles, the distance, even though considerable, of the seat of the appellate jurisdiction is a matter of very little importance. The object, then, is to get the best seat; that is, the best public. The best public, generally speaking, is in the capital. The capital, then, is the proper seat of all appellate jurisdiction. And that there should be one judge, and one judge only, in each court of appeal, is proved by exactly the same reasons, as those which apply to the courts of primary jurisdiction.

The question how many courts there should be, as well of primary as of appellate jurisdiction, is to be determined by one thing, and one thing only; namely, the need there is for them. The number of the courts of primary jurisdiction must be determined, in some instances, by the number of suits; in some, by local extent. To render justice sufficiently accessible, the distance from the seat of judicature must not be great, though the number of accruing suits, either from the paucity or from the good conduct of the people, should be ever so small.

As the judgment seat should never be empty, for the need of staying injustice is not confined to times and seasons, and as one judge may be sometimes ill, sometimes called to a distance even by the duties of his office, provision ought to be made for supplying his place. For this purpose the proper expedient is a deputy. That the deputy should well perform his duty, the best security is, that he should be chosen and employed by the judge, the judge being responsible for the acts of the deputy as his own. Whatever it is which the judge cannot do, or cannot conveniently do, in that he may employ his deputy. If there is a great influx of causes, the deputy may be employed in some of those the least complex and difficult. If there is any business, not of first rate importance, requiring the presence of the judge at a distance, the delegation of the deputy or deputies is the proper resource.

Besides the judge and his deputy, there are two adjuncts to every tribunal, which are of the utmost importance; indispensable, indeed, to the due administration of justice. These are a *pursuer-general* and a *defender-general*. The business of both pursuer-general and defender-general is to reclaim the execution of all laws in the execution of which the nation has a peculiar interest, though individuals may not. The peculiar business of the pursuer-general is to act on behalf of the administrative authority, in its character of plaintiff, and on behalf of every plaintiff who is without the means of engaging another advocate; to obviate any prejudice he sees likely to arise to justice from the conduct of plaintiffs, whether in civil matters or penal; and to perform in the case of all offences, where no private prosecutor appears, the office of prosecutor. The peculiar duty of the defender-general is to act on behalf of the administrative authority in its capacity of defendant, and on behalf of every defendant who has not the means of engaging another advocate, and to obviate any prejudice he sees likely to result to justice from want of skill or other causes on the part of a defendant who pleads his own cause, or on the part of him who pleads it for him.

The courts of appeal, though all seated in the metropolis, ought to be as numerous as the speedy hearing of all the appeals which come to them requires. The judges of appeal ought all to be chosen from the judges of primary jurisdiction, not only on account of the education and the experience received, but as a step of promotion, and a proper motive to acquire the requisite education, and to merit approbation in the inferior employment. There is the same propriety, and for the same reason, in choosing the judges of primary jurisdiction from the deputies.

# ASIATIC DEPARTMENT.

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## New Government Notes.

*To the Editor of the Calcutta Journal.*

SIR,

In all transactions of money matters with which I have hitherto been acquainted, I have always seen, that neither payments are made on Sundays, nor any document of consequence dated on that day; yet it is perhaps worthy of remark, that the New Government Promissory Notes, issued in this month, are dated the 31st of March, 1822, and that day was a SUNDAY, when neither the Treasury could be open, nor any financial business whatever transacted.

Calcutta, April 17, 1822.

KERÉACOS.

## Shopkeepers and Engravers.

*To the Editor of the Calcutta Journal.*

SIR,

As the Agents (in Calcutta) of Mr. T. F. BRISTOW, who is the only person of that name who sends out Perfumery from London to this Country; we consider it an act of justice due to that Gentleman, to request that you will call on your Correspondent "HONEY SUCKLE," to furnish us with the name of the Shop-keeper, as also that of the Engraver, which he alludes to in his letter of the 7th instant, published in your JOURNAL of this day.

We shall consider ourselves very much obliged, by your giving this Letter IMMEDIATE publicity, with a view to promote while we wish to protect the interest of Mr. BRISTOW, by cautioning the Public against such an imposition, who we take this opportunity of informing that we have just received from Mr. BRISTOW invoices of a Consignment of Fresh Perfumery, by the Ship WINDSOR CASTLE, which will be exposed for Sale at our Ware-house as soon as it is landed.

We are respectfully, Sir,

Your very obedient Servants,

Tank Square, April 18, 1822.

TULLOH AND CO.

## Ship Building.

**Ship Building.**—Letters from England speak of the use of Sir Robert Seppings's plan of building and repairing Ships under roofs, being now almost universally adopted in the great Ship Building Establishments of England, and its advantages are so many and so evident that it will no doubt be followed by all the other maritime nations of the globe, and add another wreath to the fame of that distinguished promoter of Naval Architecture. In one of the Letters that we have seen it is said that even those most accustomed to the sight of Naval Equipments are struck with astonishment at the present aspect of the English Dock-yards, where both building and repairing is going on under cover, instead of being exposed to all the vicissitudes of rain, wind, snow and hail, as formerly; by which not only the liability of injuring the materials is done away, but the perpetual interruption to the labour of the workmen is also avoided, and this at an expence too trifling to be of any consequence whatever.

From the same Letter we have seen some remarks on the liability of Teak Timber to decay, when it comes in contact with Oak; and the case of the NELSON, a first rate of 120 guns, launched, if we remember rightly, when the Continental Sovereigns were in England, is cited in proof of this, as she had been examined, and already found defective in several places. The MINDEN, 74, which was built of Teak at Bombay, was under repair at Plymouth; and it was said that it would require £30,000 at least to put her in good sailing order.

**Chain Bridges.**—We hear that Captain Stevens of the H. C. Engineers who is now employed on the Light House at Point Palmiras has received instructions from Government to survey and report on the Rivers to the north of Balasore, it being intended to throw chain bridges over such portions of them as may best admit of it for passage.

## Duties of Political Agents.

*To the Editor of the Calcutta Journal.*

SIR,

The POLITICAL AGENT'S ASSISTANT is, it seems, an enemy to abbreviation; naturally enough: like his brethren, he is serving an apprenticeship to prolixity, and truly he seems a promising disciple. I for my part like brevity, and therefore shall let the point of "condensing" rest: merely observing that if the questions alluded to (and which I am still obstinate enough to consider as one) do not contain the substance of those of "A LOOKER-ON," it at least now behoves the ASSISTANT to shew wherein lies the difference, as well as how they are in themselves two, distinct and separate: as he affirms them to be.

In the display of the Political Agent's powers (the point in question), we are agreed (if I understand him rightly) in the main; though we differ in particulars. He says the Political Agent must not stop an assault after it has commenced, and thus much I cede to him at once, as a point not worth disputing: since it will very seldom happen that an action can be checked, until it is decided in the natural way.

He says, that the Political Agent is invested with the authority of, or represents, (which I take to be the same thing,) both Governor General and Commander in Chief. This I deny.

I return him thanks for the *novel* information that the Commanding Officer represents the Commander in Chief. The question is, Who does the Political Agent represent? does he also represent the Commander in Chief? and if so, which is the best representative? but we coincide again in the proposition that the Political Agent bears the same ratio to the Officer Commanding the Troops, that the line Governor General does to the line Commander in Chief, but does not this seem a little opposite to what he tells me in his 2d paragraph, viz. that the Political Agent represents both authorities? which I must again deny, and again assert that he bears one office only. I recommend the ASSISTANT to beware, lest from all this confusion it be suspected that he is in the habit (Assistant tho' he be) of confounding separate offices quite as much as the uninformed and inattentive *Ags*.

About the middle of his 4th paragraph, he draws a conclusion:—"Thus," says he, "the Political Agent can specify numbers, description, &c." but whence arises "Thus," I should be glad to know! where are the premises we look for to precede a "Thus?" There are none in that paragraph!—or is it what (whimsically enough for a pretender to accuracy) follows instead of preceding, viz. that long residence in a country, and a necessity for engaging in warfare with it, are of themselves sufficient to qualify him to judge of military strength and the qualities of troops? an odd assertion this, in the open face of day; yet such knowledge is quite necessary, I apprehend, to enable him to make just requisitions of "numbers and description." Without it, he incurs a heavy responsibility by his sacrifices to self-sufficiency: for he becomes not only answerable for the disorder caused by, and the blood and treasure wasted in, the prosecution of his hair-brained schemes, but for their success.

I end with the ASSISTANT: whom, however, I beg for mercy's sake, and in pity to those who planned them, to say nothing about the expeditions of the late war. At least to speak of them in a whisper; for we were as soundly drubbed in most of them, as you shall desire to see in a "summer's day," as my Welsh friend Morgan of Smollet would say—but whether they were projected by Military men or by Civilians, I entirely agree with the ASSISTANT that they clearly evince the genius of their founders.

I am, Sir, your obedient Servant,

March 29, 1822.

ÆGIS VEL AGIS.

HIGH WATER AT CALCUTTA THIS DAY.		H. M.
Morning .....		0 57
Evening .....		1 23

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**Selections.**

**Telegraph.**—Our readers are aware that for some time past an experimental enquiry has been going on, as to the practicability of establishing a Telegraph in this country. We are happy to state that the trial has completely succeeded, and that before the end of the present year, a series of Telegraphic Posts will be established between the Presidency and Chunar. These posts are erected at an average distance of about ten miles from each other. They are generally in the immediate vicinity of the great Military Road, unless where the direct line is a little departed from, in order to secure a remarkable eminence. They consist of round towers, martello shape, two stories in height, averaging from thirty to thirty-three feet; to each is attached a Tindal and five Lascars. The business of the former is to take observations, repeat signals, makes entries, and send reports to the inspectors. The Lascars work the machinery. This formerly consisted of four large moveable spheres erected on a mast, but it has lately been found advantageous to substitute for them shutters or wooden boards, about six feet square. By means of this machinery the signals are carried from post to post, with great rapidity. During the early part of the experiment, when the machinery was rude, and the native workmen inexpert, intelligence was on one occasion conveyed from the Soane River to Calcutta, a distance of nearly three hundred and fifty miles, in two hours and a half. But with the present improved apparatus and experience, it may be calculated that information can be communicated at the rate of a hundred miles every twelve minutes; a rate admitting of an interchange of news between Fort William and Chunar in little more than fifty minutes. This is an astonishing celerity of progress. There is some drawback to this otherwise admirable means of conveyance. From haziness of the weather it sometimes happens that the signals cannot be distinguished, and consequently not repeated from station to station. Generally speaking however the Telegraph can be worked six hours a day, all the year round. The hot weather and latter part of the rains, are the most favorable periods, and the cold season the least so. It rarely has occurred that the atmosphere has been so obscured as to obstruct communication for a whole day together. When the ball machinery was in use, intelligence was communicated letter by letter, now whole words and sentences are conveyed by a signal, according to a private key, possessed by the inspectors only. The towers of all the posts between Baroon on the Soane, and Lelwar on in this side of Hazareebagh are already finished, and those on the Chunar and Calcutta side are in progress. This extensive undertaking is certainly very creditable to this Government; and although from the present happy condition of our Eastern Empire, it may not perhaps be of such great importance, or so extensively useful, as in time of war, it ought in no way to be depreciated, as an assured medium of communicating intelligence to a great distance in an immeasurably less space of time than by the ordinary channels of conveyance. Indeed we understand that even as a mere means of forwarding Commercial news, it has been considered of so great utility, that an offer has been made by the European and Native Merchants in the middle provinces, to bear a share in the expence of keeping it up, on condition of being allowed to make use of it on previously understood terms. This we mention merely as a rumour. It was one time we believe intended to continue a range of posts from Chunar to Bombay, by Rewah, and the banks of the Nerbudda; but the extention of this part of the project is for the present at least, postponed.—

**Calcutta Diocesan Committee.**—On Thursday last the Calcutta Diocesan Committee of the Society for promoting Christian Knowledge, held a Quarterly General Meeting at the Bishop's House, in which the usual business was transacted, new Members elected, &c. The Committee have just received from England a supply of the Books contained in the Society's Supplemental List, which may be had by Subscribing Members on application in the usual form, and at the usual rate of the Committee's prices.—The Committee will now proceed to execute their plan of adding a Lending Library for general use, includ-

ing copies of these works, to their usual depots of books and Tracts at the larger Military Stations.

**Letter from Edinburgh.**—Extract of a late letter from Edinburgh, from a Scientific Gentleman many years resident in India.

"The improvements of our great city continue to go on—New Roads, Canals, &c. A chain bridge of considerable extent is run from the shore above Newhaven to a platform of Piles in 8 feet at low water, it has two supports of Piles between that and the shore. This is for the use of a Steam Boats, for the embarkation and disembarkation of passengers at all times.

The plan appears to me to be very feasible for crossing the surf with at Madras, and I am certain that the English Engineers would undertake the job without hesitation: It would be best to have two of these, not only to facilitate imports and exports, but as a double security in the event of accident or their requiring occasional repairs.

The suspension principle promises to form an era in the history of modern bridge building, from the great extent to which the spans can be carried and the comparative cheapness over all other modes of construction. I have no doubt, but that the Hoogly could be crossed at Calcutta in two or at farthest three spans, even with the present experience, and it is not improbable that genius will by and bye take flights of two, three, or even ten thousand feet spans, and thus cross very large rivers without intermediate piers. As new means in the hands of Military Engineers, for crossing Armies over rivers, its value will be incalculable, and for various situations in Bengal, it seems peculiarly well calculated, as the absence of permanency of the streams, to their beds, from the soft soil of their banks, must render it unwise to build arched bridges, from a just fear that a change in their course might leave the bridges altogether, whilst with a chain bridge, the chains with every part except two brick piers, no very great expense in India, might be removed to a new situation without any extraordinary charge.

In many situations where there is considerable thoroughfare of foot passengers alone, a chain bridge might be erected at a very trifling expense, and the Government might fill the country with these foot chain bridges at a cost so small, as would not be grudged, was the plan properly brought before it. Even for crossing the dawk, the expence of a chain bridge in lieu of a ferry, considering the certainty, the safety, and the time gained, would be no consideration whatever, compared with the advantages.

The improvements in Steam Boats are really wonderful, every week something new starts up. A new vessel, the TOURIST, is 110 feet long by 17 feet in breadth; has two Steam Engines of 40 horses power each, which move the great water wheels with a velocity of 31 revolutions in a minute, and give a speed of upwards of 9 miles per hour to the vessel. The TOURIST went from Leith Harbour to the wharf at London in 56 hours, which is 3 hours less time than the mail, and the distance gone over must be at least one fourth more.

The speculators at Newcastle, are about to start a Steam Coach, between that place and Shields, which is calculated to run at the rate of 8 milgs per hour. The most of the horse work throughout Northumberland and Durham, is already performed by Steam Waggon, which convey coals, over the rail ways, in every direction at the rate of 6 miles per hour, each Steam Wagon drawing nine coals loaded Waggon after it, weighing three tons each or 27 tons in all. It is certainly an extraordinary sight to see strings of Waggon travelling along by themselves, and it is not less wonderful to reflect that upwards of 30 tons of inert matter are thus made to traverse the country under the direction of a single man who sits on a seat to attend the fire, not much unlike the guard of a mail coach."—John Bull.

**BANK OF BENGAL RATES.**

Discount on Private Bills,.....	4 per cent.
Ditto on Government Bills of Exchange,.....	3 per cent.
Interest on Loans on Deposit,.....	3 per cent.
Bank Shares—Premium,.....	29 & 30 per cent.

Friday, April 19, 1822.

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### Asiatic Society.

On Friday Evening, the 12th of April, a Meeting of the Asiatic Society was held at Chowinghee,—the Most Noble the Marquis of Hastings in the Chair.

Mr. A. STIRLING and Doctor PATERSON, proposed at the last meeting, were unanimously elected members of the Institution, and AUGUSTUS VON SCHLEGEL was elected an Honorary Member.

Mr. S. NICOLSON forwarded for the Museum of the Society several images of Hindoo Deities from Java, rudely sculptured in stone, but without any account of their original situation on the island. Mr. NICOLSON also presented two figures, the size of life, as specimens of native modelling. They represent two Hindoo Ascetics; one is occupied in preparing the intoxicating drug called *Ganja* or *Bhang*; and the other seems absorbed in meditation. As the effort of a native workman, they are executed with surprising anatomical accuracy and skill.

Dr. ADAM laid before the meeting a drawing and description of the China Monster, of which a colored model in clay was presented for the Museum by Lieut. General WOOD, some time ago. At that time the monster had not been seen by any of the Surgeons of the Factory at Canton, and the printed description by Mr. LIVINGSTONE, which accompanied the model, was drawn up from the statements of others. The present more detailed account is given by the Senior Surgeon, Mr. PEARSON, who appears to have examined the monster personally in September last.

The 25th number of the *Monuments de l'Hindoustan* was received from Mons. LANGLES, and an old Dutch coin by Mr. MCLEISH.

A Monkey from Singapore in Spirit of Turpentine, and several Minerals from Java, were presented by Mr. GIBBONS. We may here observe that Spirit of Turpentine, in all the cases we have seen, dissolves the animal intended to be preserved. The Lucknow *Lurus Nature*, and the Singapore Monkey have shared the same fate. A well executed Model of the former, apparently in wax, was presented at this Meeting for the Museum by Dr. GIBSON, Surgeon to the King of Oude.

A communication was received from Mons. DUVAUCEL, in which he recognises the *Hippelaphus* of Aristotle in the *Blackdeer* or *Kala-karin*, of Bengal. He concludes by observing that the Hippelaphus is in reality a peculiar species very different from the European deer, *Cervus-Elephas*, with which it has been in general confounded; that the name of Hippelaphus does not belong to the deer that is so called in the *Systema Nature* by LINNAEUS and GEMELINE; and that the Hippelaphus is no other than PENNANT'S *Great Axis*, which alone ought hereafter to bear the name of *Cervus Hippelaphus*.

Several stuffed Birds were also presented by Mons. DUVAUCEL.

A General Index to the fourteen volumes of the Asiatic Researches, compiled with great care and attention by E. S. MONTAGU, Esq. was presented to the Society, and referred to the Committee of Papers. Mr. GIBBONS also presented a list of writers in the same number of volumes.

The Secretary submitted, for the information of the Society, Proposals, received from Ceylon, for printing a Pali Grammar, first undertaken by the late Mr. TOLFREY. The Revd. BENJAMIN CLOUGH has completed the work, and observes that:—

"The Pali has undoubtedly a high claim to the attention of the literary world. It has long been a contested point whether the Pali or Sanskrit be the more ancient language of India; it is certain, that Pali was the popular dialect of the country of Buddha, namely Magadha, before the powerful sect founded by him, was expelled from the continent of India, an event prior to the Christian Era. Its literature contains a considerable number of volumes both in prose and verse; which, whatever may be their merits in other respects, form the only authentic depository of Buddhism and the learning in general of Ceylon, and the whole of India beyond the Ganges, to which the Pali now is, and has been for many centuries, what Sanskrit is in India Proper, and Latin in Europe.

"But although so ancient, so widely spread, and containing so many valuable records of antiquity, yet nothing has hitherto been published respecting the Pali language: hence in many excellent papers in the Asiatic Researches, it still appears as an unknown world. It is therefore hoped, that a short Grammar with a Vocabulary, cannot fail of being acceptable to the learned in general."

Lieutenant JAMES LOW, of the Madras Native Infantry, transmitted from Penang a Sketch of the Thai, or Siamese language, accompanied by an inquiry into the structure of the Mau, or original language of Pegu. The grammatical illustrations are very extensive and elaborate. Mr. Low had not met with any satisfactory account from the Siamese, either of their own origin, or that of their colloquial language. He says, that a very evident affinity may be traced between the Thai and the Chinese Mandarin, or colloquial language; but the strongest analogical proof of the alliance which seems to have existed at

some remote period, must rest on the system of intonation which they equally employ, and of their mutual rejection of all inflection in their parts of speech. MARSHMAN has justly considered all those languages, which adopt the system of tones, as closely linked to the Chinese colloquial medium, if not purely derived from it. If, continues Mr. Low, we were at once to admit that China gave a colloquial medium to the Siamese (as well as to Laos, Cambodia, and Ava,) how does it happen that not a single vestige of the Chinese written character is to be found beyond the hither boundaries of Cochinchina and Yunnan? Both the Thai and Chinese agree in excluding g, gh, j,jh, dh, bh, of the Sanscrit, while the Chinese have f, fb, ts, tch, tchh, and hh, not in the Sanscrit. It is probable that the Siamese had a very imperfect alphabetical system before the introduction of the Pali amongst them, but that in the avidity with which they adopted it, to suit their purpose they rejected those letters not familiar to their organs of speech. The Siamese alphabet has been evidently modelled from the Bali, or Pali, which again has sprung from the Sanscrit or Nagree character. The higher style of Siamese writing borrows largely from the Pali, and Dr. LEVDEN has shewn that many passages in the Pali, are pure Sanscrit.

Although the religious and alphabetical systems of the Chinese are conjectured to have been coeval, and to have been introduced amongst the Indo-Chinese nations, either directly from Ceylon, (called by the Siamese Lanka Seeng Hou) or through the intervention of China, still it has never been ascertained in which region they first flourished. Facts would rather seem to point out that they were brought to those countries immediately from Ceylon. That they were introduced from China appears at variance with the traditions extant in Cambodia, Siam, Ava, and Pegu. The Siamese say that that the Pali letter was brought into Cambodia from Ceylon: but they at the same time affirm that the religion of Bodhi was spread over Siam previously to the period of their adopting the Pali character.

Mr. Low is persuaded from all he has seen and learned that the description of Siam given by M. L. LOUREIRE, is in the main, nearly as applicable to the political rank and relations of that country, and to the natural and moral grade of its inhabitants at the present day, as it may be granted to have been one hundred and twenty years ago.

The Secretary reported that a considerable number of Copies of the 14th volume of the Researches had been despatched to England, and that the 15th volume has been commenced at the Serampore Press. —*Government Gazette*.

### Bengally Newspapers.

*Contents of the Summochar Chundrika*, No. VII.—1—Sale of Salt at the Exchange.—2—Another Advertisement.—3—4, 5, Ditto.—6—Distich in praise of the title "SUMMOCHAR CHUNDRIKA."—7—The Most Noble the Governor General's return from Chaoek (Barrackpore) on the morning of Wednesday last, and the stopping of his carriage of state for sometime owing to the immense crowds gathered on the public road by the *Sonyashers* (Devotees who thrust iron rods, &c. into their bodies, and swing at the Chuk Pooja) and their spectators.—8—Mr. Harrington's expected arrival.—9—Of a person getting his ear cut by one who had been his intimate friend.—10—Of a sailor who had his nose cut off in a house of bad fame.—11—Of a Sepoy who sacrificed part of his tongue to the Goddess Calee.—12—Murder.—13—Of a boatman poisoning one of his passengers.—14—Burning of Mr. Laprimandy's Cotton Screw House.—15—Of the Hindoo College to be established by Government.—16—Trial and acquittal of Mr. Hayes.—17—Short hints upon some body who deviates from the established customs of the Hindoos and leads an irregular life.—18—Strictures on the SUNGAD Cowmuddy.—19—Letter deriding the Advocate of Cows and Bullocks.

*Contents of the Sungbad Cowmuddy*, No. XX.—1—Sale of ground in the Town Hall on the 16th instant.—2—Reconciliation with the Chinese.—3—Hindoostane Paper, JAN-I JURAS NOOMA.—4—Europe News.—5—Ditto.—6—Shipping Intelligence.—7—Sharks, a dead body &c. brought up in a fisherman's net on the Ganges.—8—Indigo Sowings in Jessore.—9—Old story of the Lady putting the shopkeeper in the madhouse.—10—On the folly of the Natives in not mentioning the precise time in their cards of Invitation.—11—Tumult at the Queen's funeral.

### PRICE OF BULLION.

Spanish Dollars,.....	Sicca Rupees	206	0	206	8 per 100
Doubloons,.....	31	0	a	31	8 each
Joes, or Pezas, .....	17	4	a	17	5 each
Dutch Ducats,.....	4	4	a	4	12 each
Louis D'Ors,.....	8	4	a	8	8 each
Silver 5 Franc pieces,.....	191	4	a	191	8 per 100
Star Pagodas,.....	3	6	a	3	7 6 each
Sovereigns,.....	10	8	a	10	12
Bank of England Notes,.....	10	8	a	11	0

## Hindu Drama.

## MRICCHACATICA.—THE TOY-CART.

(Continued.)

The necklace that is to be substituted for the casket which has been stolen, is reluctantly carried to *Vasantaséna* by *Maitreya*,—he is received with great respect, and conducted through the different courts of her magnificent mansion, which he describes as he surveys them, and thus gives a curious picture of the interior of Hindu dwellings in better days. *Maitreya* is a mixed character of shrewdness and simplicity, and there is something like humorous sarcasm in many of his comments, of which the following may serve as a specimen. *Maitreya*, with an attendant belonging to *Vasantaséna*, enters the eighth court or quadrangle of the mansion.

*Mai.* Pray, who is that gentleman dressed in silver tissue, glittering with rich ornaments, and rolling about as if his limbs were all out of joint?

*Att.* That, Sir, is my Lady's brother.

*Mai.* Humph!—what course of pious austerity in his last life made him *Vasantaséna*'s brother—nay, not so,—for after all, though smooth, bright, and fragrant, the *Champa* that flowers on funeral ground is not to be approached—and, pray, who is that Lady dressed in embroidered muslin?—a goodly person truly—her ankles look as if they had drank up all the oil of her well greased slippers—she sits in state 'high on a gorgeous throne.'

*Att.* That is my Lady's mother.

*Mai.* A very portly dame indeed—but how did she contrive to get in here?—Oh! I suppose she was first set up here, as they do with an unwieldy *Mahadeva*, and then the walls were built round her.

*Att.* How now—do you make a jest of our lady, afflicted too as she is with a quartan ague?

*Mai.* At what? oh, gracious SIVA! be pleased to afflict me with a quartan ague, if such are its symptoms.

*Vasantaséna* pays a visit to *Chárudatta*, in very bad weather—a violent storm comes on, which is always a favourite topic with Hindu poets; it is remarkable too that they always dwell upon its beauty, or grandeur, but never associate any thing terrific or dreadful with it—a peculiarity arising from the connection of Indian tempests with a milder temperature and reviving verdure.—*Chárudatta* watches the approach of the tempest.

*Chár.* A heavy storm impends, the gathering gloom  
Delights the pea fowl, and distracts the swan,  
Not yet prepared for periodical flight:  
And these deep shades contract with sad despondence  
The heart that pines in absence, — Through the air,  
A rival, *Céspa*,<sup>\*</sup> the purple cloud  
Rolls stately on, girt by golden lightning,  
As by his yellow garb, and bearing high,  
The long white line of storks, the God's pure shell,  
From the dark womb in rapid fall descend,  
The silvery drops, and glittering in the gleam  
Shot from the lightning, bright and fitful sparkle,  
Likely a rich fringe rent from the robe of heaven  
The firmament is filled with scattered clouds,  
And as they fly before the wind, their forms  
As in a picture, image various shapes,  
The semblances of storks and soaring swans—  
Of Dolphins and the monsters of the deep,  
Of Dragons vast, and pinnacles, and towers—

*Vasantaséna* who encounters the storm, seems to think of it only as an opportunity for a poetical contest between her and her attendant, in describing its phenomena: the commencement of this contest will be here sufficient.

*Att.* Lady, upon the mountain's brow, the clouds  
Hang dark and drooping as the aching heart  
Of her who sorrows for her absent lord;—  
Their thunders summon forth the pea-fowl, all the sky  
Is agitated by their wings, as fanned  
By thousand flus which costly gems inhaled—  
The chattering frog quaffs the pellicid drops  
With joy—with joy the pea-hen shrieks; the trees  
Smile cheerfully with renovated verdure.—  
The moon is blotted by the driving scud,  
As is the saintly character by those  
Who wear its garb to veil their abject lives;  
And like the damsel whose fair fame is lost,  
In ever changing loves, the lightning, true  
To no one quarter, flits along the skies.

\* Vishnu.

*Vas.* You speak it well my friend—to me it seems  
The jealous Night as with the gloom she wantons,  
Looks on me as a rival bride, and dreading  
I may disturb her pleasures, warns me back;  
Muttering in thunder as I speed along,  
What wouldst thou here, woman, thy path retrace.

*Att.*—Reprove with courage, chide her to submission.

*Vas.*—Not so—recrimination only fits  
The spiritless in action—I need her not;  
Let the clouds fall in torrents, thunders roar,  
And heaven's red bolt dash fiery to the ground  
The dauntless damsel—faithful love inspires,  
Treads boldly on, nor dreads the maddening storm.

It must be acknowledged of Hindu writers, that when they get hold of a good thing, they never know when to have done with it, and this description of the storm, although containing much poetical beauty, is protracted beyond all reasonable bounds—we need not follow the description farther, extracting only one simile from the many which occur.

*The Earth*  
Is pierced with showers, like diamond shafted darts  
Launched from you rolling mass of deepest blue,  
Which heaves before the breeze and foams with flame,  
Like ocean's dark waves by the tempest driven,  
And tossing high their flashing surge to shore.

*Chárudatta* is to meet *Vasantaséna* by appointment in a garden belonging to the Raja, but apparently open to the public. *Maitreya* attends him.

*Mai.*—How bravely the old garden looks.

*Char.*—'Tis true—like wealthy merchants are the trees,  
And spread in clustering flowers their tempting stores!  
Amongst them busily the Bees are ranging,  
To gather tribute for the royal hive.

By an entanglement not undramatically contrived, the close car in which *Vasantaséna* should have come, is occupied by a fugitive from the King, *ARYACA*, who is the hero of an underplot, which drives out the ruling Monarch *Polaca*, and crowns *Aryaca*: so that it will be clear, the piece is full of business. The Car arrives and *Chárudatta* goes to help *Vasantaséna* to alight.

*Char.*—How. Who is this?  
His arms are like the Elephant's vast tusks,—  
His breast, his shoulders, brawny as the lion's—  
His eyes are coppery red, and roll in anger—  
His limbs are chained: what strength could overcome!  
Such more than mortal force—what art thou?—speak!

*Aryaca* discovers himself and *Chárudatta* assists him to escape. He then leaves the garden, despairing of seeing *Vasantaséna*. In the mean time she has got into another vehicle—one belonging to the Raja's brother-in-law—a Prince represented as haughty, ignorant—heartlessly selfish and coldly cruel, with great power of characteristic delineation. To make the matter worse, he is a rival of *Chárudatta*'s, and the object of *Vasantaséna*'s aversion—he is likewise in the garden, and the Car is bound thither to take him up—so that *Vasantaséna* is unexpectedly placed in his power. Some specimens of their conference, and its subsequent results, I shall reserve for another occasion.

April 12, 1822.

NATACAPRIYA,

## Lines,

Written among the beautiful Scenery of Rhotas in Bahar,  
How sweet to contemplate yon mountain scene,  
Where cloudless skies prevail, where the light breeze  
Sighs o'er the cliffs, and with its breath serene,  
Wafts the rich odours of the budding trees,  
To all round—Each object formed to please,  
Unites in harmony ;—the murmuring rill,  
Steals gently o'er the high acclivities,  
And trickles in soft current down the hill,  
Where, to the sight though lost, its sound is lovely still.  
Yet not alone in calm and tranquil guise,  
Thy beauties vanquish—nor in the repose  
Of elemental strife thee most we prize,  
For thou hast equal charms when fiercely blows  
The raging storm, and rain incessant flows;  
When thunders burst with louder deeper peals,  
Among thy rocks, and the fork'd lightning glows  
With brighten coruscations, and reveals  
The awful horrors that Night's ebon veil conceals.

March, 1822. Government Gazette.

# EXTRA SHEET.

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## Government Orders.

### CIVIL APPOINTMENTS.

**COMMERCIAL DEPARTMENT, APRIL 10, 1822.**

Mr. John Dick, Assistant to the Commercial Resident at Santipore.

**JUDICIAL DEPARTMENT, APRIL 10, 1822.**

Mr. W. F. Dick, Judge and Magistrate of the district of Nudia.  
Mr. C. Macsween, Judge and Magistrate of the district of Agra.  
Mr. J. C. Dick, First Register of the Zillah Court of Meerut, and Joint Magistrate stationed at Buolundsheher.

### MILITARY.

*General Orders by his Excellency the Most Noble the Governor General in Council.*

**FORT WILLIAM, APRIL 9, 1822.**

The Governor General in Council directs that the following Lists of Rank of Cadets of Artillery, Cavalry, and Infantry, and of Assistant Surgeons, appointed for this Presidency, be published in General Orders.

**No. 3, 1820.—Rank of Cadets appointed for the Bengal Artillery, Cavalry, and Infantry, and proceeding by the following Ships, viz.**

For the Artillery and to rank from the 9th June 1820, the day on which they passed their Public Examination in the following Order, viz.

Harry Burrard Dalzell, GANGES, Falconer. Erroll Blake, GANGES, Chivers. James Richard Green, Rose. John Raithby Revel, GANGES. John Theophilus Lané, PRINCESS CHARLOTTE OF WALES. George Hart Dyke, Rose. Julius Broome Backhouse, GANGES, Chivers. Edward Madden, HENRY PORCHER. Edward Henry Ludlow, GANGES, Falconer. Hampden Nicholson Pepper, HENRY PORCHER.

For the Cavalry.—Charles O'Hara, BAROSA, sailed 19th June 1821. Charles Digby Dawkins, Rose, sailed 4th July. Archibald Lorne Campbell, PRINCESS CHARLOTTE OF WALES, ditto ditto. Glass Keunaway, ditto ditto.

For the Infantry.—Henry Charlton, PERSEVERANCE, sailed 19th May 1821. Hugh Todd, Catharine, ditto, 1st June. Henry Francis Broderip, produced Commission, dated the 20th January 1820, FAIRLIE, ditto 11th June. Philip Goldney, ditto ditto. Alexander Webster, ALBION, from Portsmouth 21st June. William Macgeorge, KINGSTON, ditto 23d June. William Henry Leacock, PRINCESS CHARLOTTE OF WALES, ditto 4th July. Robert Codrington, Rose, ditto ditto. James Chicheley Plowden, ditto ditto. William Tritton, PRINCESS CHARLOTTE OF WALES, ditto ditto. Henry Fowle, Rose, ditto ditto. James Hannay, ditto ditto. Francis Thomas, PRINCESS CHARLOTTE OF WALES, ditto ditto. George Burford, GANGES, Chivers, ditto 3d September. John Cates, ditto ditto. William Clifford, ditto ditto. William Freeth, Abroad, of Age to rank in this List. Frederic Moore, HENRY PORCHER, ditto 29th September. John Assey Fairhead, ditto ditto. James Mathie, WINDSOR CASTLE. Alfred Arabin, ditto ditto. William Mills Tritton, ditto ditto.

**No. 2, 1820.—Rank of Assistant Surgeons appointed for Bengal and proceeding by the following Ships, viz.**

Charles Mackinnon, LONAC, sailed 9th March 1821. Thomas Charles Harrison, ditto ditto. Francis Gold, ORIENT, ditto 21st March. John Ruxton Buchanan, ANNA ROBERTSON, sailed 4th April. Robert Bransby Francis, WILLIAM MILES, ditto 15th April. Donald Butter, M. D., THOMAS GRENVILLE, ditto 5th May. William Wrighte Hewett, M. D., ditto ditto. George Hunter, MARQUIS OF WELLINGTON, ditto ditto. Charles Dennis, Thomas Grenville, ditto ditto. James Duncan, ANDROMEDA, ditto 3d June. William Edward Carte, A. B., ditto ditto. Edmund Tomkins Harpur, FAIRLIE, ditto 11th June. Henry Cavell, ditto ditto. Andrew Simson, M. D., ROYAL GEORGE, L. S. ditto 25th June. James Barker, Abroad, Para, appd. 27th June. Alexander Stenhouse, M. D., MARQUIS OF HASTINGS, sailed 4th July. George Simms, Rose, ditto ditto. Benjamin Bart, M. D., MARQUIS OF HASTINGS, ditto ditto. Richard Nossitar Burnard, Rose, ditto ditto. John Dalrymple, MARQUIS OF HASTINGS, ditto ditto. Gavin Turnbull, MILDIA, sailed 14th July. James Watson Boyd, GANGES, Chivers, ditto 3d September. Adam Macdougall, ditto ditto. Alexander Kyd Lindesay, ditto ditto. Robert Grahame, HENRY PORCHER, ditto 29th September. Thomas Forrest, ditto ditto.

**EAST-INDIA HOUSE; }      (Signed)    J. DART, Sec.**  
**London, Nov. 2, 1821. }**

**FORT WILLIAM; APRIL 10, 1822.**

The Governor General in Council is pleased to direct, that the following Extracts from General Letters from the Honorable the Court of Directors, in the Military Department, dated the 31st October and 7th November 1821, be published in General Orders:

*General Letter, dated October 31, 1821.*

199. Captain John Duncan, of your Establishment, has our permission to remain in England, until the departure, for your Presidency, of the last Company's Ships of this Season 1821-22.

200. In our Letter to you in this Department, dated the 14th February last, (Paragraph 12), you were advised of the Appointment of Mr. Benjamin Bell, (then at your Presidency), as an assistant Surgeon upon your Establishment.

291. Mr. Bell having left Bengal, before the arrival there of the dispatch announcing his appointment, we have permitted him to return to your Presidency, and to take up his appointment, as an Assistant Surgeon, without prejudice to the rank which we have already assigned to him.

202. Mr. William Freeth, who proceeded to your Presidency, as a Passenger on board the Ship PRINCESS CHARLOTTE OF WALES with the view to his being appointed a Cadet of Infantry upon your Establishment, on his attaining the age of 16 years, attained that age on the 12th September last; we therefore direct, that you will admit him a Cadet, and administer to him the usual Oath of Fidelity to the Company accordingly.

203. His order of rank will be forwarded to you by the earliest conveyance.

*General Letter, dated November 7, 1821.*

3. We have permitted the undermentioned Officers, of your Establishment, to remain a further time in England; viz.

Captain Edward Simons, until the month of March, and Captain David Reid, until the month of May next.

**FORT WILLIAM; APRIL 11, 1822.**

In obedience to instructions from the Honourable the Court of Directors, the following Corps of Native Infantry, which served at the Siege and Capture of Seringapatam, are to bear the word *Seringapatam*, upon their Regimental Colours and Appointments, in addition to any other Badge of distinction they may now be entitled to; viz.

1st and 2d Battalions 10th Regiment Native Infantry.

1st and 2d Battalions 18th Regiment Native Infantry, at the period of the Siege the 1st, 2d and 3d Battalions of Bengal Volunteers.

1st and 2d Battalions 19th Regiment Native Infantry, ditto ditto.

The undermentioned Companies of Artillery are likewise to bear the word *Seringapatam* on their Appointments, having also served on the memorable occasion of the Capture of that Fortress.

5th Company 2d Battalion.—1st Company 3d Battalion, at the period of the Siege 3d Company 1st Battalion.—6th Company 3d Battalion, at the period of the Siege the 1st Company 3d Battalion.

The Governor General in Council is pleased to make the following Promotion and Appointments.

7th Regiment Native Infantry.—Ensining Browne Wood to be Lieutenant from the 28th of March 1822, in succession to Isaac deceased.

Captain W. Dunlop, of the 26th Regiment Native Infantry, to be Barrack Master of the 11th or Meerut Division of the Barrack Department, vice Gowar returned to Europe.

Assistant Surgeon J. Savage to perform the Medical duties of the Civil Station of Midnapore.

The undermentioned Officers have been permitted to return to Europe on Furlough for the benefit of their Health.

Lieutenant George Forster of the 6th Regiment Light Cavalry.

Ensign John Pollard of the 10th Regiment Native Infantry.

The leave of absence granted in General Orders of the 26th January last, to Major S. Reid, of the 8th Regiment Light Cavalry to proceed to the Cape of the Good Hope, for the benefit of his Health, is cancelled at the request of that Officer.

His Lordship in Council was pleased, in the Judicial Department, under date the 29th ultimo, to grant to Captain James Stewart, Adjutant of the Burdwan Provincial Battalion, an extension of his leave of absence from his Station for a further period of two Months, on urgent private affairs.

Sergeant John Paterson appointed by His Excellency the Commander-in Chief to act as Steward in the Hospital of the 3d Battalion of Artillery, on the 24th February 1820, is confirmed in that Situation.

Adverting to the usage which has hitherto existed of permitting Officers indiscriminately to draw Table Allowance when removed from a Regiment in Bengal to one at either of the other Presidencies, the Most Noble the Governor General in Council directs, that henceforward no Officer shall, on such removals, be entitled to Table Allowance or Passage Money, unless the removal has taken place on public grounds, of which a Certificate will accompany the Bill, under the Signature of the Adjutant General of His Majesty's Forces in India, or other competent Authority.

WM. CASEMENT, Lt. Col. Sec. to Govt. Mil. Dept

## Calcutta Journal.—Vol. II.—No. 94.

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*Garrison Order.—By the Governor of Fort William.—April 15, 1822.*

The Most Noble the Governor of Fort William, having received a Report of the zeal and activity displayed by a party of H. M. 87th Regiment in assisting to extinguish the Fire of the Honorable Company's Cotton, which unfortunately occurred yesterday in Mr. Laprimandy's premises in Calcutta, desires that both Officers and Men, employed on that duty, may be assured that it is with feelings of the highest approbation His Lordship has a second time to notice their exemplary efforts for the preservation of the public property.

The promptness with which, this call upon their services was obeyed and the zeal and spirit evinced by all, were as conspicuous, as the general conduct in Garrison of this fine Regiment has been praiseworthy.

The despatch with which the Fort Engines were got ready, and the activity and energy of the overseers, and people attached to the Barrack Department of the Garrison, have likewise been brought to the notice of His Lordship as highly commendable.

Such spirited and powerful exertions, as resulting from the best possible disposition in the breast of each individual, claim the warmest thanks of the Most Noble the Governor, who feels the highest gratification in thus publicly acknowledging the exemplary efforts on the occasion in question, of the party of H. 87th Regiment, the overseers and people employed from the Barrack Department, and of the undermentioned officers :

Major BROWNE,  
Major STREATFIELD,  
Captain CLIFFORD,  
Lieutenant BATEMAN,  
Lieutenant MAINWARING, } His Majesty's 87th  
Lieutenant SHIP,  
Lieutenant BOWES,  
Ensign HALSTEAD,  
Captain WILKINSON, Fort Adjutant,  
Captain COSTLEY, Barrack Master.  
His Majesty's 87th  
Regiment.

By Command, J. VAUGHAN, Town-Major.

*General Orders by the Commander in Chief, Head-quarters, Calcutta, April 6, 1822.*

The leave of absence granted to Lieutenant T. Gray of the Horse Brigade of Artillery in General Orders of the 25th February, is cancelled at his own request.

The General Court Martial assembled at Dinapore on the 22d December last, and of which Major Richards is President, is dissolved.

*Head-quarters, Calcutta, April 8, 1822.*

Several instances of a wide deviation from the Regulations in force respecting uniformity in Dress having been lately brought to the Commander in Chief's notice, His Lordship finds it necessary to call the attention of Officers Commanding Divisions, Stations, and Corps, to the existing Orders on this subject; and to desire that they will see them obeyed by all under their Command. It must be kept in mind that no inferior authority is competent to sanction any departure from the Rules laid down by the Commander in Chief in General Orders; and no Article of Dress or Equipment ought to be adopted, or altered, in any Corps, without His Excellency's authority being previously obtained.

2. His Lordship desires to take this opportunity of explaining some points relative to the Orders regarding Dress, which appear not to be clearly understood; and to add one or two Regulations which are wanting.

3. The Regulations regarding Military Dress and appearance were never intended to apply to Officers when engaged in Field Sports or in active recreations, (such as Fives or Cricket); but those who go out for Morning Exercise about the Station, are expected always to appear in a Military Uniform—The Regulation Undress Jacket and Cap (with a Great Coat when the weather requires it) furnish a Dress which is perfectly convenient, and well adapted for such occasions.

4. On visits of ceremony, and on other public occasions where Officers (not on Duty) are expected to appear in Full Uniform, the Sword may at the option of the Officer be worn under the Coat, attached to a Waist-Belt of narrow white silk without any plate. The Coat may be worn open; and the Sash is dispensed with.

5. The Commander in Chief is disposed to allow every reasonable indulgence on account of the climate.—During the Hot Season therefore, His Excellency does not require that Officers who are not on duty, shall wear their Regiments during the forenoon, except on occasions of Ceremony; but on the other hand, he expects that no person shall go abroad in the Evening without being properly dressed in his Uniform. Loose Trowsers or Overalls with Ankle Boots have been permitted as an Undress, but on all occasion of Dress or Ceremony tight Pantaloons (of White Kerseymere, Web, or Cotton, according to the Season) and half Boots are to be worn.

6. Uniform Great Coats are authorized to be worn by Officers on the Line of March, on Out-Posts, and on all duties of fatigue. Those for the Infantry to be of Regulation Grey, and similar to those worn by Officers of his Majesty's Regiments of Foot—Cavalry and Staff Officers to wear blue great Coats, similar to those worn by Officers of Dragoons and by Staff Officers in His Majesty's Service.—The Officers of Artillery are also to wear Uniform blue Great Coats—No alterations in the patterns now adopted in to take place without authority from Head-Quarters; and after the 1st of October next, no Pelisses or Cloaks, or any other but the Regulation Great Coat now prescribed is to be worn by Officers on the Line of March, or on duty.

Brevet-Captain Richard Armstrong, of the 14th Regiment Native Infantry, is appointed 2d in Command of the Cuttack Legion, vice McLeod nominated to the Command of the Corps.

Field Army Orders by Major-General Sir G. Martindell, under date the 26th of March, directing Assistant Surgeon Mackinnon to repair to Kyat and afford Medical aid to the Troops left at that Station, are confirmed as a temporary measure, until the return of the 1st Battalion 8th Native Infantry to Cantonments, when Mr. Mackinnon will rejoin his Station.

2d Lieutenant Anderson of Artillery is appointed to relieve Lieutenant Hele in Command of the Detachment of that Corps at Bencoolen, and directed to proceed by the earliest opportunity. Upon the arrival of Lieutenant Anderson, Lieutenant Hele will return to Bengal and join the Head-quarters of the Corps at Dum-Dum.

The undermentioned Officer has Leave of Absence:

2d Battalion 30th Regiment, Lieut.-Col. J. Greenstreet, from 25th March, to 25th June, in extension, to remain at the Presidency on urgent private affairs.

Lieutenant R. P. Fulcher, is appointed Interpreter and Quarter-Master to the 2d Battalion 20th Regiment Native Infantry, vice Davis, proceeding to Europe on Furlough.

Ensign C. Griffin is removed from the European Regiment to the 8th Regiment Native Infantry as Junior Ensign, and posted to the 1st Battalion.

The undermentioned Officer has leave of Absence.

2d Battalion 27th Regiment,—Lieutenant and Quarter-Master Hoggan, from 1st April, to 1st May, in extension, to enable him to rejoin his Corps.

*Head-quarters, Calcutta, April 10, 1822.*

Ensign G. Burford, whose admission into the Service and Promotion to the rank of Ensign were notified in Government General Orders of the 18th ultimo, is appointed to do duty with the 1st Battalion 23d Native Infantry until further orders.

The Commander in Chief is pleased to make the following Removals in the Regiment of Artillery.

1st-Lieutenant S. W. Bennett, from the 4th Company 1st Battalion to the 7th Company 4th Battalion.

1st-Lieutenant J. H. Middleton, from the 7th Company 4th Battalion to the 6th Company 4th Battalion.

1st-Lieutenant P. A. Torckler, from the 5th Company 1st Battalion to the 4th Company 1st Battalion.

1st-Lieutenant J. Johnson from the 2d Troop Horse Artillery to the 3d Company 1st Battalion.

With the sanction of the Governor General in Council, Ensign the Honorable W. Stapleton is appointed to do duty with the Escort of the Resident in Malwa and Rajpootana.

The undermentioned Officers have Leave of Absence.

8th Regiment Light Cavalry,—Captain F. Spiller, from 1st April, to 1st October, on urgent private affairs.

General Staff,—Lieutenant Gordon, Acting Deputy Assistant Quarter Master General, from 25th April, to 25th June, to visit the Presidency, on Medical Certificate.

2d Battalion 18th Regiment,—Captain H. L. White, from 15th April, to 31st May, in extension, to continue at the Presidency.

2d Battalion 23d Regiment,—Lieutenant Richardson, from 15th April, to 15th August, to visit Malda.

*Head-quarters, Calcutta; April 11, 1822.*

Kurnaul Station Orders by Lieutenant-Colonel Elliott, Commanding, under date the 6th of February last, appointing Sergeant Arthur McMullan, 3d Company 1st Battalion of Artillery, to act as Park Sergeant, vice Champiou resigned, are confirmed as a temporary measure.

*Head-quarters, Calcutta; April 12, 1822.*

Lieutenant B. Wood of the 7th Regiment Native Infantry, is posted to the 1st Battalion of the Corps, and directed to join.

The undermentioned Officer has Leave of Absence.

8th Regiment Light Cavalry,—Major S. Reid, from 11th April, to 11th October, to remain at the Presidency on Medical Certificate.

W. L. WATSON, Acting Adj't. Genl. of the Army.

Friday, April 19, 1822.

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THE FOLLOWING ARE GENERAL ORDERS ISSUED TO HIS MAJESTY'S FORCES IN INDIA.

*Head-quarters, Calcutta, April 3, 1822.*

The undermentioned Officers have received the Most Noble the Commander in Chief's leave of absence for the reasons assigned.

11th Dragoons.—Colonel Sleigh, C. B. from 25th instant, to 1st June 1822, on his private affairs.

17th Foot.—Lieutenant Baylis, from 6th instant, to 5th ditto, to proceed to the Sand Heads on Sick Certificate.

*Head-quarters, Calcutta, April 6, 1822.*

Ensign Moncrieffe of H. M. 17th Foot has an extension of leave of absence for three months from the 8th ultimo.

*Head-quarters, Calcutta, April 10, 1822.*

Lieutenant Hoctor of H. M. 59th Regiment has permission to proceed to Europe for the recovery of his health, and to be absent on that account for two years from the date of his embarkation.

*Head-quarters, Calcutta, April 12, 1822.*

The Most Noble the Commander in Chief in India, is pleased to make the following Promotions and appointments, until His Majesty's pleasure shall be known.

14th Foot.—Lieutenant W. Caine from the 17th Foot, to be Lieutenant, vice W. Keowen, who exchanges, 6th April, 1822.

17th Foot.—Lieutenant W. Keowen, from the 14th Foot, to be Lieutenant, vice W. Caine, who exchanges, 6th April, 1822.

24th Foot.—Ensign Alexander Dirom, to be Lieutenant without purchase, vice William Mellis, deceased, 22d March, 1822.

30th Foot.—Charles Savage, Gent. to be Ensign without purchase, vice J. N. Gregg, promoted, 1st February 1822.

46th Foot.—Ensign Charles Baron Langworth, from the 67th Foot, to be Lieutenant, without purchase, vice L. Prior, deceased, 7th March, 1822.

47th Foot.—Donald Campbell, Gent. to be Ensign, without purchase, vice Robert Ridge promoted, 1st February, 1822.

67th Foot.—John C. Archdale, Gent. to be Ensign, without purchase, vice Baron Langworth, promoted in the 46th Regiment, 7th March, 1822.

87th Foot.—Robert Williams, Gent. to be Ensign, without purchase, vice George Booth, promoted, 1st February, 1822.

*Head-quarters, Calcutta, April 13, 1822.*

Lieutenant Steuart of H. M. 30th Regiment has leave to return to Europe for the recovery of his health, and to be absent on that account for two years from the date of his embarkation.

Lieutenant Franklin of H. M. 69th Regiment has leave to proceed to Europe for the recovery of his health, instead of on his private affairs, as announced in General Orders of the 28th July last.

The leave granted by His Excellency General Sir Alexander Campbell, to Lieutenant and Brevet Captain Christian of His Majesty's 30th Foot, to return to Europe for the benefit of his health, and to be absent on that account for two years from the date of his embarkation, is confirmed.

Ensign Doyle of His Majesty's 87th Regiment has permission to visit Madras, on his private affairs, and to be absent on that account for two months from the 10th instant.

*Head-quarters, Calcutta, April 15, 1822.*

The undermentioned Officers have received the Most Noble the Commander in Chief's leave of absence for the reasons assigned.

17th Foot.—Ensign C. A. Young, from 14th instant, for one month, in extension, on Sick Certificate.

24th Foot.—Brevet Major Hughes, from 1st instant, for nine months, to visit the Presidency on his private affairs.

Ditto.—Captain Gill, from 1st instant, for nine months, ditto ditto.

87th Foot.—Lieutenant Cox, from 16th instant, for four months, to proceed to Chittagong on his private affairs.

Lieutenant Mathews of His Majesty's 59th Regiment has permission to visit the Presidency on his private affairs, and to be absent on that account for two months from the 10th proximo, or from the day after the half yearly inspection of that Corps.

By Order of the Most Noble the Commander in Chief,

THOS. McMAHON, Col. A. G.

Presidency Division Orders by Major General Hardwick, Barrackpore, April 15, 1822.

The Major General Commanding the Presidency Division has it in command from His Excellency the Commander in Chief, to call the par-

ticular attention of all Officers, Staff or Regimental, who may visit the Presidency, or who may be stationed within the limits of its Command, to the General Orders under date the 8th instant, respecting Dress; also to caution all Officers, whatever their rank or situation may be, against an infringement of the Regulations published in General Orders dated 11th July 1787 and 27th April 1799. The above quoted orders are to be most strictly adhered to and, that no officer may plead in excuse that he was not aware of this order, calling his attention thereto, the Brigade Major is directed to furnish each officer on his arrival at the Presidency with a copy, whether he report in person or by letter, the receipt of which is to be officially acknowledged. If he report his arrival in person the above quoted General Orders will be shewn to him for perusal.

F. A. WESTON, Major of Brigade.

Hindoo Idol, Sumnat.

To the Editor of the Government Gazette,

SIR,

The account of the demolition of the Idol *Sumnat* by Mahmud, which I proposed in my last communication to supply you with, is derived from the *Tebat Asberi*, a history of Asber's reign, with an introductory view of the transactions of the Mahomedans in India, prior to that Monarch—in point of date, therefore, it has the advantage of *Firishta*, and as a work of good taste and sober investigation is still more decided superior—the author thus describes the transaction.

"In the year 415 (Hijera) *Mahmud* determined to lead an army against *Sumnat*, a large temple situated on a peninsular projection of the sea shore, appertaining to the followers of *Brahma*; the temple contained many idols, the principal of which was named *Sumnat*. It is related in some histories that this idol was carried from the *Caaba* upon the coming of the Prophet, and transported to India. The Brahmanical records, however, refer it to the time of *Crishna*, or an antiquity of 4000 years. *Crishna* himself is said to have disappeared at this place.

When the Sultan arrived at *Neherwaleh*, (the capital of Guzerat) he found the city deserted, and, carrying off such provisions as could be procured, he advanced to *Sumnat*—the inhabitants of this place shut their gates against him but it was soon carried by the irresistible valour of his troops, and a terrible slaughter of its defenders ensued. The temple was levelled with the ground—the Idol *Sumnat*, which was of stone, was broken to pieces, and in commemoration of the victory, a fragment was sent to *Ghizni*, where it was laid at the threshold of the principal mosque and was long after trodden under foot by the faithful."

We have here, therefore no allusion to face, or nose, or belly, nor to the sum offered for its ransom, nor the booty obtained by its fracture—The story is told without the foreign aid of ornament, and is therefore more likely to be true—and we have only to endeavour to verify the Deity who has been the object of so much embellishment.

The above account informs us, it was an Idol of stone—and by identifying it, although perhaps erroneously, with the Idol of the *Caaba*, leaves us to conclude it was shapeless: *Manah*, the idol worshipped by the tribes about Mecca being nothing more than a large rude stone.—(Sale's Introduction, 24.) D'Herbelot makes the author of the *Rozet as Sesa*, say, the idol was of one stone fifty cubits long, of which forty-seven were sunk in the ground; but this is a very preposterous arrangement, and a very unfair representation of *Mirkond*'s account, who states that it was *six* cubits long and, of these, *two* were out of sight. I did this writer injustice myself in my last letter; taking upon trust his being one of the authorities for the fables coined on this subject; but his accounts are less extravagant than I imagined—He talks to be sure of the temple being supported by fifty-six pillars of gold, and of enormous booty acquired by the plunder of the temple and fort, but we have nothing, even in his narrative, of the mutilation of the image, its proposed redemption, or the discovery of its concealed wealth. To return to the image, therefore, we are to infer, from the above accounts, that it was nothing more than a straight block of stone of about four or five feet in length, and as *Mirkond* expressly states, proportionable thickness, and that it had no pretensions to "imitate humanity 'even' abominably."

What then was *Sumnat*? In our present intimacy with the *Hindoo* system, we cannot be at a loss to reply—it was nothing more than one of those emblems of *Siva*, by which alone in most of the temples of Hindustan that divinity is now represented, a solid block of stone, on which there were no features to be defaced, and in which there was no cavity to conceal inestimable treasures—these accompaniments are therefore the phantoms of Mahomedan superstition, and European credulity, with a sufficiency of ignorance in the historians of both the East and West.

I am, &c.

April 12, 1822.

SCRUTATOR.

**Government Notification.**

Notice is hereby given, that the Naval Store-Keeper has been instructed from the 1st Proximo, or the 1st of May, 1822, to keep a General Register, in which all Anchors, Grapnels, and Wrecks of every description, which may have been lost in the River Hoogly, and may be recovered by the Master Attendant, will be entered, and that the said Register will be open every day, during the official hours of business, for the inspection of the Public, with the view of facilitating the inquiries of those who may be desirous of identifying their property.

2.—A Copy of the Rules also under which the system of clearing the River by the Master Attendant is henceforward to be conducted, may be seen on application at the Naval Store-Keeper's Office.

By Order of the Marine Board,  
Marine Board, April 13, 1822. H. SARGENT, Secretary.

**Shipping Arrivals.****CALCUTTA.**

Date	Names of Vessels	Flag	Commanders	From Whence	Left
April 18	Kent	British	E. C. Kemp	Masulipatam	Apr. 12

**Shipping Departures.****CALCUTTA.**

Date	Names of Vessels	Flag	Commanders	Destination
April 17	Valetta	British	A. B. Fraser	Mauritius
17	Hashmy	British	J. J. Denham	Bencoolen

**Stations of Vessels in the River.**

APRIL 17, 1822.

At Diamond Harbour.—ST. THIAGO MAJOR (P.) MARCHIONESS OF HASTINGS, WINDSOR CASTLE, and LADY FLORA, inward-bound, remain. Kedgerie.—MAHOMED SMAW, proceeded down. New Anchorage.—H. M. S. GLASGOW.

Extract from the Report of the Ship KENT, Captain E. C. Kemp, from Batavia, Eskapely the 9th of April, and Masulipatam the 12th ditto.

The KENT experienced a gale from the eastward on the 8th in Eskapely Roads, the DUNVEGAN CASTLE parted from one chain, and drove into the surf and struck several times; the wind chopping round to the westward favored her escape, by allowing her to run off in the morning. The KENT rode with 90 fathoms of chain, and her best bow-line, which she stranded.

Passenger from Masulipatam.—Lieutenant Smith.

**Military Arrivals and Departures.****Weekly List of Military Arrivals at, and Departures from, the Presidency.**

Arrivals.—Captain R. B. Ferguson, 4th Regiment of Native Infantry, from Sheerghatty.—Lieutenant R. Thorpe, 1st Battalion 10th Native Infantry, from Madras.—Infantry Cadets James Matthie, Alfred Arabin, William Mills Tritton, and Francis Trimmer, from Europe.

Departures.—Lieutenant Colonel W. Comyn, 1st Battalion 29th Native Infantry, to Benares.—Captain J. Lane, 7th Light Cavalry, to Europe.—Captain J. Orchard, Honorable Company's European Regiment, to Ghazeeapore.—Lieutenant F. Wigney, European Invalid, to Monghyr.—Ensign J. Pollard, 1st Battalion 10th Native Infantry, to Europe.—Ensign J. A. Fairhead, European Regiment, to Ghazeeapore.—Ensigns F. Moore, 1st Battalion 2d Native Infantry, J. Cates, 2d Battalion 19th Native Infantry, W. Clifford, 2d Battalion 28th Native Infantry, and A. Webster, 1st Battalion 30th Native Infantry, to join the Honorable Company's European Regiment, at Ghazeeapore.—Surgeon A. Brown, 2d Battalion 13th Native Infantry, to Dacca.—Assistant Surgeons G. Simms and A. K. Lindesay, to Cawnpore.

**Births.**

On the 17th instant, Mrs. A. G. BALFOUR, of a Daughter.

At Hansee, on the 1st instant, the Lady of Lieutenant RAMSAY, 8th Regiment of Native Infantry, of a Son.

**CURRENT VALUE OF GOVERNMENT SECURITIES.**

BUY	CALCUTTA.	SELL
16 14	{ Six per cent. New Loans, .....	} 16 8
20 13	Ditto Remittable, 1819-20, .....	20 8

**To Correspondents.**

We shall be glad to receive the Series of Letters, promised by Captain MATCHLOCK; but we are sure that on reflection, he will see obvious reasons for our not publishing the one just received from him, which indeed is the less necessary for any public object, as the circumstances to which he alludes are very generally known in Calcutta, and his sentiments regarding them accord with the opinions of all intelligent and unbiased men.

**Commercial Reports.**

(From the Calcutta Exchange Price Current of yesterday.)

	Rs. As.	Rs. As.
Cotton, Cutchoura, .....	per maund	12 0 a 13 0
Grain, Rice, Patna, .....	2 0 a 2 2	2 4 a 2 8
Patehery, 1st, .....	1 12 a 1 14	1 8 a 1 9
Dido, 2d, .....	1 5 a 1 7	1 1 a 1 2
Moongy, 1st, .....	0 12 a 14 0	1 5 a 1 6
Ballum, 1st, .....	235 0 a 240 0	205 0 a 215 0
Wheat, Dooda, .....	185 0 a 190 0	180 0 a 199 0
Gram, Patus, .....	200 0 a 210 0	160 0 a 170 0
Dhali, Urrahr, good, .....	145 0 a 155 0	4 8 a 5 4
Indigo, Fine purple and violet, .....	2d sort, .....	3 12 a 4 4
Ordinary ditto, .....	3d sort, .....	3 4 a 3 8

Indigo.—The market is now getting very bare of this—in consequence of the late accounts from England, the demand has increased since our last—we have just heard of a sale of Tirhoot, about 224 maunds, at 239-8 per maund, cash, in Bond—the Arabs are the only Foreign Purchasers in the market.

Cotton.—Has been rather on the decline since our last, the transactions in it have been very limited, and only for country consumption—at Mirzapore the price stated on the 9th of April for new Cutchoura, was 14-4 per local maund,—at Bogwangoal the 13th of April, new Cutchoura was quoted at 14-10 to 14-12—sales during the week 11,500 maunds, of which 7000 were for Calcutta, and the rest for country consumption—stock 22,000 maunds.

Opium.—May be stated at our quotations—we heard of a sale of Patna a few days ago, at 4,285.

Lac Dye.—The last advices from England respecting this, have been unfavourable, and the price is consequently on the decline here.

Saltpetre and Sugar.—Are in very limited demand; the prices we stated for them are nominal, and it is questionable whether a large quantity of either could be sold at our quotations.

Grain.—Has been in fair demand during the week—we have no alteration to state in prices, except in Moongy Rice, which has risen about one anna per maund.

Pepper.—Sales have been effected in Malabar during the week, at our quotations.

Piece Goods.—Have been in considerable demand during the week, but we have no alterations to state in prices.

Tutengue and Spelter.—Were in limited request since our last, and our quotations barely maintainable—yesterday the demand for the latter was on the increase, the natives seemed inclined to buy at higher prices than they were offering during the week.

Freight to London.—May still be rated at £ 5 to £ 7 per Ton.

**Deaths.**

On the 16th instant, of an indisposition of only a few days, Mr. WILLIAM RICHARDS, aged 26 years—leaving behind him a Widow and 3 Orphans, in the most indigent circumstances to deplore his untimely loss.

At Allahabad, on the 9th instant, LAWRENCE KENNAWAY, Esq. of the Honorable Company's Civil Service, and the Son of Sir JOHN KENNAWAY, Bart.

At Sholapore, on the 19th ultimo, Major HERNE, of the 5th Madras Cavalry, much esteemed and respected by his brother Officers and acquaintances.

At Bushire, on the 29th of December last, of a fever, Mr. RAYMOND BOUDY, aged 27 years; died with a Christian resignation, and his loss is deeply lamented by his relatives and friends.